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Francis Shand, Esq.
T. F. Smith, Esq.
J. Stewart, Esq.
Dr. Hibbert Taylor.
Rev. J. H. Thom.
J. A. Tobin, Esq.
Charles Turner, Esq.
Rev. Dawson Turner, M.A.
J. H. Turner, Esq.
James Vose, M.D.
T. Vernon, Esq.
J. Woodruff, Esq.
Peter Wright, Esq.
John Wybergh, Esq.

LIST OF FOREIGN CORRESPONDING MEMBERS:

Monsieur le Comte J. Arrivabene, Bruxelles.

Monsieur d'Avila, Ministre d' Etat de S. M. Très Fidèle, Lisbon.

Monsieur le Comte Auguste Ciezkowski, Wierzenica, Grand-duché de Posen.

Monsieur Ed. Ducpetiaux, Inspecteur Général des Prisons et Etablissement de Bienfaisance, Rue des Arts, No. 22, Bruxelles.

David Dudley Field, Esq., New York.

Monsieur le Dr. C. Helm, 805, Seilerstätte, Wien, Austria.

Monsieur le Dr. Mittermier, Heidelberg, Duché de Bade, Germany.

Monsieur De Metz, Rue de Londres, No. 13, Paris.

Monsieur le Dr. Neumann, Köpnicker Strasse, No. 110A, Berlin.

Monsieur F. Le Play, Councillor d'Etat, &c., 17, Rue St. Dominique, Paris.

Monsieur le Dr. Schubert, Koenigsberg.

Monsieur W. H. Suringar, President de Mettray, Amsterdam.

Monsieur le Dr. Susani, Professeur de Mécanique Industrielle à la Société des Arts, Milan.

Monsieur le Dr. Varrantrapp, Francfort-sur-Main.

Monsieur le Dr. Villerme, Membre de l'Institut, Rue Vieille du Temple, No. 16, Paris.

Monsieur A. Visschers, Conseiller au Conseil des Mines, Rue Royal, No. 106, Bruxelles.

RULES;

Passed at the SECOND ANNUAL MEETING *of the* ASSOCIATION, *October* 16, 1858.

I. THE object of the Association is to aid the development of Social Science.

II. The Association comprises Five Departments; the first for Jurisprudence, and the Amendment of the Law; the second, for Education; the third, for Prevention of Crime, and the Punishment and Reformation of Criminals; the fourth, for Public Health; and the fifth, for Social Economy.

III. The Association consists of Ordinary Members, Corporate Members, Foreign Corresponding Members, and of Associates.

IV. Any person who pays an Annual Subscription of One Guinea, or a Life Subscription of Ten Guineas, to the funds of the Association, is an Ordinary Member.

V. Any Public Body paying to the funds of the Association an Annual Subscription of One Guinea, is a Corporate Member.

VI. Foreign Corresponding Members are elected by the Council, the number of such Members being limited by Bye-law.

VII. Any person who pays Ten Shillings to the funds of the Association, is an Associate for the year: that is, till the first of August following such payment.

VIII. Foreign Corresponding Members are exempt from payment.

IX. Every Ordinary Member has the privileges of attending and voting at all the Meetings of the Association, of being eligible to any of its offices, and of receiving gratuitously its Transactions and other publications.

X. Every Corporate Member receives gratuitously a copy of the Transactions, and other publications, and may nominate two representatives to attend the Meetings of the Association; and such representatives have the privileges of Associates.

XI. Every Foreign Corresponding Member has all the privileges of an Ordinary Member, except that of eligibility to the Council.

XII. Every Associate has the privileges of an Ordinary Member, except those of eligibility to the Council, and of receiving gratuitously the publications of the Association.

XIII. The Annual Subscription is payable in advance on the first day of August in each year.

XIV. The Association has a President, Vice-Presidents, Presidents and Vice-Presidents of Departments, a General Secretary, a Treasurer, a Foreign Secretary, and Secretaries of Departments, who are annually elected, and hold office until the appointments of the following year are made.

XV. The Association is governed by a Council, consisting of the Officers named in Rule XIV., and of Sixty Members elected at the Annual Meeting.

XVI. The officers named in Rule XIV. are elected by the Council in the month of July annually.

XVII. An Annual Meeting is held in such place, and at such time, not being earlier than the First of August, nor later than the First of November, as may be appointed by the Council. General Meetings are held in London, on days appointed by the Council.

XVIII. The General Secretary, on receiving a requisition signed by twenty Members of the Association, summons, within thirty days, a General Meeting of the Association, for the purpose stated in such requisition.

XIX. The Council appoint a Committee for each Department, and fill up any vacancy occurring during the year in any of the offices named in Rule XIV.

XX. The Committees of Departments appoint Sub-Committees, to consider and report on specific subjects of reference.

XXI. The General Secretary and the Foreign Secretary are

ex officio Members of every Committee and Sub-Committee. The Secretary of each Department is *ex officio*, a Member of every Committee and Sub-Committee of such Department.

XXII. The Council conduct the general business of the Association, make bye-laws for its regulation, sanction the disbursements of the Funds, call Meetings of the Association, elect Foreign Corresponding Members, appoint Committees of their own body, and make a Report of the Proceedings of the Association at its Annual Meeting.

XXIII. The Council, and its Committees, are summoned by the General Secretary; the Committees and Sub-Committees of each Department are summoned by the Secretary of such Department.

XXIV. Every Committee and Sub-Committee may add to its number, unless otherwise ordered at the time of appointment.

XXV. At all Meetings of the Association, of the Council, and of Committees, the Chairman has a vote; and if the votes be equal, he has also a casting vote.

XXVI. For General Meetings of the Association ten Members, for Council Meetings five Members, and for Committee and Sub-Committee Meetings three Members, form a quorum.

XXVII. The Funds of the Association are kept in the name of the Association, at a Banker's. All sums received on account of the Association are paid to the Bankers; and all cheques on the Bankers are drawn by order of the Council, are signed by the Treasurer, and are counter-signed by the General Secretary.

XXVIII. At the Annual Meeting two Auditors, not being Members of the Council, are appointed, on motion, by show of hands, to audit the accounts for the ensuing year.

XXIX. The accounts of the Association are made up to the end of July in each year: and after being duly audited, are appended to the Annual Report of the Council.

XXX. Any Member intending to move an alteration in any of the foregoing Rules, must give notice in writing of such intention to the General Secretary, at least one month before the date of the Meeting at which he moves such alteration.

INTRODUCTION.

THE Second Annual Meeting of the Association was held in St. George's Hall, Liverpool, under the Presidency of Lord John Russell, on Monday, the 11th October, 1858, and the five following days. The meeting was attended by 666 members and 891 associates. Transferable tickets were sold to 526 ladies. The total receipts were 1530*l.* 3*s.*, and the total expenses 851*l.* 19*s.* 1*d.*; leaving a sum of 678*l.* 3*s.* 11*d.* to be carried to the general funds of the Association.* Seven addresses were delivered, and 173 papers were read.

The proceedings commenced on the 11th with a special service, numerously attended by members and associates, in St. Nicholas' Church, at which the Bishop of Chester preached the sermon which immediately follows these pages.

In the evening Lord John Russell delivered his opening address to an audience which crowded even the immense Hall in which they were assembled. On the conclusion of the address, the Earl of Shaftesbury moved in language as fervent as the reception with which it was greeted, a resolution acknowledging the great services of Lord Brougham in inaugurating the Association, and in presiding over it during the first year of its existence. The motion was seconded by Sir John Pakington, carried by acclamation, and eloquently responded to by Lord Brougham.

A vote of thanks to Lord John Russell for his presidential address was moved by the Earl of Carlisle, seconded by Sir

* The receipts for the first year of the Association, from July 29th, 1857, to August 1st, 1858, were 488*l.* At the latter date a balance of 139*l.* remained at the bankers; but the liabilities for the Transactions and other printing were undischarged. The receipts for this year up to the 1st of February were 1172*l.* 9*s.* 11*d.*; the expenditure to the same date, 661*l.* 7*s.* 3*d.*, of which 319*l.* 4*s.* 3*d.* was in discharge of the liabilities incurred during the first year.

James Kay Shuttleworth, and unanimously carried. An acknowledgment by his lordship terminated the proceedings.

On Tuesday morning Lord Brougham delivered in the Concert Hall an address on 'Popular Literature,' which was followed, in the unavoidable absence of the Lord Chancellor of Ireland, President of the First Department, by the address of the Right Hon. W. Cowper, M.P., on 'Education.' An excursion to the *Akbar* frigate followed, and when the meeting resumed, the Earl of Carlisle and the Earl of Shaftesbury delivered their addresses on 'Punishment and Reformation,' and on 'Public Health.'

At eight o'clock a conversational meeting was held in St. George's Hall; and in the smaller rooms of the building several parties of members and associates assembled during the course of the evening to discuss particular social questions in which they were interested. Workhouses, ragged schools, and reformatories were respectively considered by a kind of select committee of persons acquainted with the practical working of each. The policy and management of Trades' Unions were debated with the assistance of several working men, and a resolution was passed recommending the Council to appoint a Special Committee for more mature deliberation on this subject.

On Wednesday morning the Right Hon. Sir James Stephen delivered his address to the Association, at the conclusion of which the Departments commenced their papers and discussions, lasting through the whole of that and the two following days. These latter proceedings are duly recorded in the summary following the select papers of each department.

During the week, several public meetings took place more or less in connexion with the Association. Among these may be mentioned the re-opening of Queen's College by an address from Lord Brougham, and a great gathering of some thousands of working men and women in the amphitheatre, in which the leading members of the Association and several artisans took part.* This meeting was presided over, in the absence of the

* This most gratifying feature of the proceedings was chiefly carried out by Mr. Philip Rathbone, to whose exertions the Association is much indebted.

Mayor from domestic affliction, by his brother, the deputy mayor. On Friday evening a banquet, to which nearly 500 sat down, took place in St. George's Hall, under the chairmanship of Lord Brougham.

On the morning of Saturday, after the address on 'Jurisprudence' had been read by Lord John Russell for the Lord Chancellor of Ireland, the concluding meeting was held, and a report from the Council was presented, stating generally the results of the Session and the resolutions arrived at by the departments. It was resolved that a local Standing Committee should be constituted at Liverpool, to continue inquiries into the social condition of the town and neighbourhood, and to report to the Association at its third annual meeting. The amended rules of the Association, as recommended by the Council, were passed, and votes of thanks were given to the Mayor and Corporation for the use of St. George's Hall; to the inhabitants of Liverpool for their liberal and zealous support; to the press for the manner in which it had reported the proceedings; and to the local and permanent officers of the Association.

To the town of Liverpool we are indebted for a success which, placing our finances on a sound footing, and commanding a moral support from all parts of the kingdom, has ensured the permanence of the Association. It would be difficult, and in some respects invidious, to name the various individuals who by their personal exertions so much contributed to this result; but it is only an act of justice to record the great obligations which we are all under to Mr. George Melly, the local secretary, for the unwearied industry, the rare zeal, as well as the more than ordinary administrative ability which he brought to our service. The chairman of the Executive Committee, Mr. Edward Heath, the local treasurer, Mr. Archibald Briggs, and the local secretaries of departments, also deserve special notice for their highly valuable exertions.

The permanence of the Association is secured; but the measure of its future success, and of its public utility, must depend on the course of its policy—in other words, on the wisdom and energy, and it may not be amiss to add, the sub-

ordination and self-denial exhibited by its members. The vast increase of business, which threatens to overflow the limited period—and it must always remain limited—of the annual session, will compel a much more methodical arrangement, and a much stricter discipline in its conduct, than was thought at first necessary or desirable. The Association was set on foot by an almost spontaneous effort of the social reformers scattered through the whole country; and an effort of that kind is always characterized, and, indeed, is best supported, by an enthusiasm irregular and temporary in its nature, very productive of the information derived from individual experience and local facts, but deficient in organization, in completeness, and in the matured results of inquiry. Such a stage of existence is necessary, but its duration should be short.

During the past year efforts were made, and not without success, to give more system to our proceedings, and especially to direct the communications of members and others into the most useful channels. It is hoped that this plan will be more fully carried out during the present year, by the issue early in the spring of a methodized prospectus of subjects for the Bradford Meeting, as a guide for contributors. But much will remain in the hands of the members themselves; and a few words of advice from one who necessarily sees more of the inner working of the Association than any other of its thousand members may not be out of place.

1. An important part of our work must always consist in the collection of local statistics, and in recording the social progress made in various parts of the kingdom. This will some day, it is hoped, be amply provided for by the establishment of local standing committees, similar to the committee now in existence at Liverpool, each reporting annually to the parent body. But as the formation of such committees must be a work of time, it is much to be desired that our members in various towns should endeavour to unite in furnishing the Association with accounts of the social condition of their neighbourhood, of any efforts made for its improvement, and the results.

2. Papers on the practical details relating to social questions

should be as concise as possible, should be confined to facts, and should avoid, as far as may be, the enunciation of general principles, and of philosophical theories and reflections.

3. It is, no doubt, desirable that a certain number of papers should be contributed containing deductions from generalized facts, and dealing with the more abstract philosophy of Social Science. But those members who are capable and desirous of serving the Association in this way would most effectually promote the objects it has in view by turning their attention to subjects which have already come under its consideration, so that the facts and opinions recorded in successive years may be woven into a whole, and the true principles which should guide social improvement be educed by scientific comparison.

4. The regulations laid down by the Council with regard to papers should be strictly complied with. Some laxity in this respect was excusable at first, but it has been found that irregularity causes delay in announcing the arrangements, and consequent inconvenience to members, and the Council will be compelled to act in future with greater stringency.

Attention to the above suggestions would both facilitate and expedite the publication of the Transactions, the materials for which will probably increase in bulk every year. It would not, indeed, be possible, under any circumstances, to publish such a work as the present in a much shorter period than has now elapsed since the meeting at Liverpool. The mere setting up in type of five and forty octavo sheets must occupy two months; and when to that is added the time consumed in the revision of proofs, and other delays incident to the printing of every manuscript, but which occur with much greater frequency in the preparation of a volume contributed by nearly a hundred authors, resident in all parts of the kingdom, it is evident that three months is a slender allowance of time for its completion. Neither is it desirable that the Transactions of the Association, the lasting record of its labours and usefulness, should be hastily and carelessly compiled. But much might, no doubt, be done by sorting and arranging the papers previous to the Annual Session, and thus, in some measure, forestalling the editorial work.

During the preparation of the present volume considerable difficulty has been experienced in deciding as to the printing in full of particular papers. It being evident that room could not be found for one-half of the contributions, the omission of a paper must not be taken as any proof that it was judged unworthy of insertion. Various considerations have weighed in this matter: local papers have, in most cases, been given a priority; the immediate importance of a subject, the authority attaching to the writer, the attention excited by the paper at the meeting, the brevity and clearness of the statements, have all in turn, and sometimes in combination, influenced the decision. In one instance, a paper* of such a length as would ordinarily have ensured its rejection, has been printed, on account of the wide and solid information it contains on a subject which lies at the root of much social misery.

In addition to the more public work of the Association at its Annual Session, the Council and Standing Committees continue investigation, and when necessary take independent action, on points recommended by the departments, or otherwise brought under their notice. Although during the year that elapsed between the Birmingham and Liverpool meetings, considerable time was consumed in organizing the Association, several important questions were thus dealt with.

The Special Committee on Bankruptcy and Insolvency, consisting of three delegates from the Association, and two from each Chamber of Commerce and Trade Protection Society in the kingdom, prepared a Bill for the Amendment and Consolidation of the Laws relating to Bankruptcy and Insolvency, which was introduced into the House of Commons, and read a first time. The further proceedings in connexion with this Bill are stated in the Summary to the Jurisprudence Department.

The Public Health Committee watched carefully the sanitary legislation of the last Session of Parliament, and made representations to the Government whenever the necessity arose for so doing. A deputation from the Committee in May last left with the President of the Board of Health

* On the Dwellings of the Labouring Classes. By Henry Roberts.

a valuable minute in reference to the Bill which has since passed into law, as the 21 & 22 Victoria, cap. 97.*

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* MINUTE *delivered to the* Right Hon. C. B. ADDERLEY, M.P., *on Monday, May 28th*, 1858.

The Deputation earnestly urge the necessity for introducing into the Public Health Bill powers for a more systematic and permanent investigation of the Public Health, and the causes which modify it:—

1st. Because sanitary measures are more urgently required for the mitigation of the constant high mortality that exists in many places than even for dealing with severe visitations of epidemic disease.

There are several districts of England in which the annual mortality is only at the rate of 15 in each 1000 of the living population.

In 64 districts the average annual mortality does not exceed 17 in each 1000 inhabitants.

In many town districts the average annual mortality exceeds the rate of 25, and in several it attains to 30, 33, and even to 36 in each 1000 persons of all ages and both sexes.

No one supposes that people live too long where the mortality is lowest. It must be allowed that life is prematurely cut short in places where the mortality is highest.

And this high mortality is by no means exclusively, or even chiefly, caused by epidemic diseases. Pulmonary affections of all kinds, including phthisis for example, are four times more fatal in the most unhealthy than in healthy districts; diarrhœal affections, including cholera and dysentery, are more than 160 times as fatal in the most unhealthy town as in the healthiest district; or, if cholera and dysentery be excluded, diarrhœa alone is 100 times as fatal in the unhealthiest as in the healthiest district; 70 times as fatal in Birmingham, where cholera is alleged never to have been epidemic, as in Aberystwith; small-pox is 25 times as fatal in certain districts where vaccination has been neglected, as in other districts where vaccination has been more regularly performed, and this not in a single year of epidemic visitation, but in a series of years; and, lastly, the non-contagious nervous diseases of children are more than five times as fatal in unhealthy as in healthy places.

2nd. Because many sanitary investigations can only be efficiently undertaken by persons acquainted with medical science and practically conversant with disease. Whatever may be the case as regards the members of other professions, it will be difficult for the proposed Health Department of the Privy Council to secure the most efficient medical aid in a casual manner. Being only occasionally employed, the Medical Inspectors will necessarily be compelled to look out for more permanent sources of income, and whenever they shall have attained this, they will usually cease to desire or to undertake occasional sanitary work. The result of the proposed arrangement for employing such officers temporarily will be,—

a. That there will be a frequent change of Medical Inspectors, so that all the experience and knowledge acquired by individuals will be lost to the Public Service,—and

b. That in the event of an outbreak of epidemic disease, such as cholera, the arrangements will have to be entirely extemporized for the occasion, instead of mere supplementary assistance being required.

It is submitted that the suggestions the Deputation are authorized to make might be met by the modification of the 4th Clause of the Public Health Bill, or perhaps by the simple omission of the word *temporarily*, introduced in the 23rd line of 2nd page.

(Signed) EBRINGTON.
JAMES CLARK.
B. C. BRODIE.
THOS. WATSON.
JOHN MEADOWS WHITE.
E. HEADLAM GREENHOW.

The serious defects in the management of workhouses, especially of metropolitan workhouses, engaged the attention of the Committee of the Social Economy Department, by whom a representation was made to the Poor Law Board on the subject. The interest thus excited among many of the members led to the formation of the 'Workhouse Visiting Society,'* under the sanction of the Association; and it is encouraging to find that this offshoot from our body has flourished apace, and is producing the best results in more than one locality.

At this moment the Council and the Committees of Departments are taking steps for an active prosecution of the various subjects referred to them at Liverpool; and when the Association meets at Bradford in October next, the account rendered will, it is hoped, be satisfactory to the members assembled. The preparations already made for the meeting are of a most promising character; and there is no district in England which presents a more interesting and varied field for social inquiry than the West Riding of Yorkshire. We find a daily increase of sympathy and support from all quarters. The papers contributed by working men to the Liverpool meeting give a fair promise of adherence from a class whom the Association has endeavoured, from the commencement, to enlist in its ranks. A few foreign contributors have begun an interchange of knowledge between English and Continental philanthropists; and the number of the gentler sex among our list of authors is one sign among others that women are beginning

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* At a Meeting of the Committee of the Social Economy Department on Monday, June 7th, 1858, the Report of the Sub-Committee on Workhouses having been read—

1. Resolved that the Report be received.
2. That it is desirable to obtain a more efficient superintendence over the internal management of workhouses than now exists in the great majority of these establishments.
3. That the inmates of workhouses ought to be far more carefully classified than at present, as to sex, age, and character, and that children especially should always be entirely separated from adult paupers.
4. That industrial training and occupation should be more extensively introduced.
5. That a system of inspection by unpaid, and especially lady visitors, sanctioned by the Guardians, would be calculated to improve the internal condition of workhouses.
6. That for the furtherance of the views expressed above, the Committee of this department will sanction the establishment of a Workhouse Visiting Society.

to exercise a more active influence for social improvement. Other features in the progress of the Association might be mentioned, but it is a history which in a great measure speaks for itself. Rapid beyónd precedent in its past growth, it promises to be as wide in its future development as the social resources of the nation whose voice has called it into being.

[redacted]

RELIGIOUS MOTIVE.

THE SERMON

Preached before the Association, at St. Nicholas, Liverpool,

ON MONDAY, OCTOBER 11,

BY THE

RIGHT REV. THE LORD BISHOP OF CHESTER.

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1 CORINTHIANS, x. 31.

'Whatsoever ye do, do all to the glory of God.'

HOW true and how high a view of human duty: 'Whatsoever we do, to do all to the glory of God.' Amidst and above the various motives which actuate man, whether springing from the external circumstances of his position, or the inborn sympathies of his nature, there rises one great principle paramount over all, to direct, control, harmonize, and sanctify the rest, pointing to the will of God as our law, His glory as our aim; giving a unity of purpose to all our actions; making the whole tenor of life one consistent homage to the Ruler of the Universe; one continuous offering of gratitude and love to the Father of mercies.

It is not, indeed, to be expected that this principle should be distinctly present to our thoughts in every separate action of our lives. There are many actions—works of manual labour, processes of scientific skill, occupations of habitual routine—which are of so minute and mechanical a kind as scarcely to admit of the direct application of a religious motive to them. Nor is this required. What is required is, not that religion should be the immediate impulse of every act, but that it should be the ruling principle of the mind. In this way its influence will pervade the whole character, and sanctify the whole life. Thus, even the humble labourer, who day after day plies mechanically the same monotonous task, may all the while be acting on a real principle of religious obedience if, regarding the necessities and duties of his lot as the will and appointment of God, he earns his daily bread with a contented mind, and shares it amongst his family with a grateful heart. Thus also, in a far different sphere, the man of science, who subdues the physical

forces of the material world to the use of man and the advancement of art and the progress of civilization; whether he makes even the volatile steam impel the buoyant vessel through the yielding waves, and drag the train of ponderous carriages over the solid earth, or impresses even the winged lightning into his service, and makes it to be the messenger of human thought and speech—in all this, in all these appliances of art for social intercourse, he is only an agent carrying out the beneficent designs of the great Creator. For as God has made of one blood all the nations of the earth, so He made them to be one great united family; and while he has caused so many of the elemental powers of the material universe to minister spontaneously to the happiness of man, he has also left others hidden as it were in the recesses of nature till they are evoked for the the same beneficent ministration by the sagacity of the human mind. The man of science, who thus by his inventive genius elicits the latent energies of nature and enlarges the sphere of social enjoyment, is justly regarded as an ornament and a benefactor to the human race; but he assumes a still higher and more sacred character when in all this he looks upon himself as an instrument in the hands of God—as working in obedience to God's will and for God's glory, by developing the great Creator's designs for the civilization, and union, and happiness of the world. Thus may even the works of art, as well as those of nature, be made to praise God.

If a religious motive may thus be applied even to the development of those mechanical sciences which deal with the material universe, much more directly is it applicable to the branches of moral science which relate to the internal principles and social duties of man; for here we ascend into a higher and a holier sphere; we are dealing with man in relation to the higher elements of his nature—his moral responsibility and his eternal destiny. Natural impulses, indeed, of humanity, views of public policy, will necessarily enter into our efforts for the moral amelioration of mankind; but however pure those impulses, however sound those views, they fall below the high standard of duty and the greatness of the object, unless they are elevated and sanctified by the addition of religious motives. Let me further add, that no measures we may take for the moral amelioration of mankind can be effectual for solid and permanent good unless they are founded on religious principles. An example or two may illustrate this.

The promoters of social science arrange its subjects under distinct heads, of which one relates to laws and justice. In every civilized country security for life and property is the first object of the Government. In no country is the object better

attained, if so well attained, as in our own. The humblest subject of the realm shares in the equal protection of our laws; the highest is not exempt from their control. They are administered with an impartiality which inspires universal confidence. No murmur of complaint is heard on this point; no whisper of suspicion is so much as breathed. Our criminal code, by the persevering efforts of enlightened philanthropists, has been gradually divested of many of its sterner rigors. Capital punishments, justifiable only where the necessity of the case absolutely requires them, are now confined to crimes for the prevention of which no lighter penalty seems to be adequate, and for the enormity of which the heaviest is not too severe. Although thus mitigated, and wisely mitigated, yet the law still holds out its wholesome terrors for the prevention and punishment of crime, and ever must continue so to do as long as human nature continues the same, and the mixture of good and bad men continues in the world. The law still holds out its terrors, and not without effect. But even thus, how little would the law avail, with all its formidable apparatus of police, and prisons, and tribunals, and exile and death—how little would it avail, how imperfectly would it act, for the peace of society and the protection of individuals, were there no higher, no stronger principle to restrain men's hands from evil deeds, and turn their hearts from evil thoughts. The only effectual safeguard of social order is the fear of God, working in the depths of man's heart and conscience. Under this master principle all other inferior motives will range themselves in subordination, and work together in harmony, for the glory of God in heaven, and no less for the peace of mankind on earth. Let the heart but be possessed with a real belief that there is a God who rules the world, whose eyes are in every place beholding the evil and the good, who will hereafter judge the world in righteousness, and there is at once a guarantee for the peace and welfare of civil society far beyond any that human law, with all its wisdom and all its terrors, can ever give. Were but the fear of God the universal motive actuating all, His will the universal law obeyed by all, the most difficult problems of human legislation would be superseded; the civil magistrate would find his office relieved from all its painful duties; and Justice, holding her even balance, might for ever sheathe her sword.

What a contrast does the actual state of society present to this ideal picture! What a numerous class do our criminals form in the statistics of our population! And what a wide field does social science here find for another of its objects—the reformation of offenders! This is an object to which we are impelled equally by policy and humanity. The direct purpose,

indeed, of human punishment, is the prevention of crime by the terror of example. But while the maintenance of public order may require that we should brand the criminal with disgrace, or exclude him from the intercourse of society, or banish him from the shores of our country—while justice may make this demand, yet mercy finds here its gentler mission also, in efforts to reform and restore the fallen. I do not say that even the experience of the smart of punishment may not do something to reform an offender, by teaching him the lesson that honesty is the best policy; still less do I say that compassion, till now perhaps never experienced, may not touch and melt his hardened heart. But I yet would say that there is nothing that can really change his nature, and eradicate his habits, and give him new dispositions, but the influence of the gospel on his heart. Touch his heart with that, and he is a new man.

I rejoice at the efforts which have been made in our own times for the reformation both of adult and of juvenile offenders. The young especially are objects of our tenderest compassion—those juvenile offenders who have taken perhaps the first step in crime, under the influence of parental example, or even under the coercion of parental command. It is well that they should be rescued from that foul contagion, that cruel tyranny. It is well, also, that they should be spared the contamination and stigma of a gaol, and instead be placed in a reformatory, where they may be taught lessons of amendment. But if it be a good thing to reform, how much better is it to prevent? There one part of our subject glides into another; the question of reformation into that of education. The branches of social science meet to intertwine their friendly shade over the young.

It is to education that, so far as depends on human means, we must mainly look for the social amelioration of the masses of the people. The most effectual way of forming the character aright is to pre-occupy the opening mind when it is at once most ductile and most retentive, when impressions are made easiest and deepest. 'Train up a child in the way he should go, and when he is old he will not depart from it.' In speaking thus of education, I do not mean merely teaching children to read and write, but implanting principles and habits; teaching them lessons of obedience, order, industry, civility; imparting to them such useful knowledge as may fit them for the duties of their future stations in life; but, above all, that Christian knowledge which is able to make them wise unto salvation, and to fit them for heaven. I might well insist thus upon the paramount importance of religious knowledge, on the high ground that the preparation for heaven is the great purpose of human

life. But that is not the precise point which I am now urging. I am taking a lower but still a broad ground—namely, that what best fits a man for heaven, best fits him also for the discharge of every social duty here on earth. Truth, justice, temperance, kindness—these are the great elements of social duty. They are also the precepts of religion and the fruits of Christian principle. Who is a faithful servant to his earthly master? He who is faithful to his Master in heaven. Who is true in his allegiance to his sovereign? He who is true in his allegiance to the King of kings. Who is obedient to the laws of his country? He who obeys the laws of God. Who is gentle in peace? The man who is animated by the spirit of Christian love. Who is brave in war? The man who fears God, and knows no other fear. What constitutes the real happiness of the individual? Christian contentment. What constitutes the happiness of the family? To live soberly, righteously, and godly. Then it is that we see, even in the humblest dwellings, domestic order, and cleanliness, and comfort, and peace, and concord. 'Godliness has the promise of the life that now is, as well as of that which is to come.'

I wish to speak plainly on this point. An education without religion is like the sky without the sun. Jesus Christ is 'the light of the world.' 'The fear of the Lord is the beginning of wisdom.' It ought to be the beginning and the end of education. I do not say this in any narrow spirit. I know the great diversity of religious opinions by which the people of this country are divided. It is a matter of regret. But we must bear in mind that this difference of religious opinion, though it may in itself be an evil, grows out of great and paramount good; I mean the freedom of religious opinion. I respect that freedom; I respect the rights of conscience; they are sacred. But wherever freedom of opinion exists, there we must expect difference of opinion. This is only one of many cases in which, from the imperfection of human nature, some great and predominant good is attended with incidental evil. And, in this particular case, how much might the evil be lessened by mutual charity and forbearance!

One consequence of these religious differences, however, is, that it becomes a matter of great difficulty to devise any universal system of education for the children of the poor, in which the various denominations of Christians will coalesce. The very sincerity of our religious convictions, and our tenacity of our distinctive opinions, prevent any amalgamation. But, surely, this can never be a reason for cutting the knot, and making the question easy, by leaving religion out of education altogether. Until something better can be devised, what is

now done can at best still continue to be done. The State can still, by a liberal and judicious policy, continue to afford pecuniary aid to meet the Church and the different religious denominations in their voluntary efforts for educating the children of the poor within their respective communions. This arrangement may even be productive of one good effect peculiar to itself; for when education is thus provided, in a considerable measure, by the voluntary bounty of individuals, there will be a response of gratitude from the hearts of the poor which could scarcely exist if the schools derived their support entirely from public and compulsory taxation.

Even under existing circumstances, though the progress may not keep pace with our wishes, yet happily education is progressive. One of the most recent steps in advance has been the institution of ragged schools for a long neglected class on the extreme verge of society. Let us repair that past neglect. Perhaps amidst those vagrant groups there are

> Some hearts pregnant with celestial fire,

instinct with the latent spark of genius, which only await the touch of education to burst into light. But what is more, there is in every heart a soul of immortality, which, under the vivifying beams of Divine grace, may expand and ripen into the fulness of eternal glory. God grant that all these poor outcasts may be brought within the light of the gospel and the means of grace, and be clothed with righteousness through faith in our Lord and Saviour Jesus Christ.

Opening Address

BY THE

RIGHT HON. LORD JOHN RUSSELL, M.P.,

PRESIDENT OF THE ASSOCIATION.

THE first meeting of this Association, which took place last year at Birmingham, gave ample room for hope and encouragement. Lord Brougham, who presided, explained so fully, with so much ability, the general purposes and objects of the Association, that I shall not think it necessary to travel again over that ground. The departments into which our business is divided are—1st, Jurisprudence and Amendment of the Law; 2nd, Education; 3rd, Punishment and Reformation; 4th, Public Health; 5th, Social Economy. I propose to lay before you some general observations on each of these topics, rather with a view to ascertain our present position and fix the point from whence we take a fresh departure, than with any expectation of being able to guide the vessel on her voyage. In so doing I shall take the first and third topics, namely, Jurisprudence and Amendment of the Law, together with Punishment and Reformation, as subjects in a great degree connected, before I proceed to the other departments. At our meeting last year, the question which excited the greatest interest in the department of jurisprudence was the amendment of the bankruptcy law. After some valuable papers had been read, and much practical discussion had taken place, the Association agreed, upon my motion, to appoint a committee, consisting of three delegates from the National Association and two delegates from each of the Chambers of Commerce and Trade Protection Societies in the kingdom. This committee met on the 17th and 18th of November, at Birmingham. They agreed to a series of resolutions, which were afterwards embodied in a bill and laid before the committee in London. The provisions of this measure have been ably explained by Mr. Hastings, in an address delivered by him on the 20th of May last. I will shortly advert to the main provisions of the bill. In the first place, the bill consolidates and amends all the statute law relating to bankruptcy and insolvency. It is pro-

posed that the Insolvent Court of London, and the separate insolvent jurisdiction of the county courts, should be abolished, and that the law of bankruptcy and insolvency should henceforth be administered by one tribunal. It is not meant to contend by this proposal that there is no difference between bankruptcy and insolvency. The merchant whose expectations have been frustrated by a sudden fall in the price of silk, or a sudden rise in the price of tea, is evidently in a very different position to the man of little or no property who has obtained easy credit and become embarrassed by living at an extravagant rate. But there are many cases which border closely on bankruptcy and yet are ranged under insolvency, or which border on insolvency and yet are ranged under bankruptcy. There can be no reason why one court should not deal with both subjects, and decide for itself the proper character of the transactions brought under its notice. There is no greater mischief in this country than the multiplicity of courts, causing delay, expense, confusion, and frequently injustice. In the same view of simplicity and equality it is proposed to abolish the distinction between trader and non-trader. A landowner who is a shareholder in a company, and a physician who sells his skill in the shape of prescriptions, would be treated by the bill in the same way as a partner in a mercantile house or an apothecary who deals in drugs. Nor is it easy to justify the distinctions which are now made. In Scotland, where one court administers law and equity to the satisfaction of that enlightened people, the distinction I speak of does not exist. I hope the Association will approve of this portion of the bill. Perhaps the most important portion of the proposed change is that which relates to private agreements among creditors. Agreements signed in the shape of deeds or memoranda, by a majority in number and four-fifths in value, will be held obligatory on creditors who have not signed. Thus merchants will be enabled to do in the face of the law and with the assistance of the law that which they have hitherto done apart from the law and in despair of the law. Supposing, however, private arrangements to fail, and adjudication to issue, it is proposed that an official assignee should instantly take possession of all the property of the bankrupt. Within fourteen days after adjudication the creditors are to meet; and when they have proved their debts, they are to proceed to the election of a creditors' assignee, who is to be the sole assignee of the bankruptcy. In Scotland the custom is to apply to the court for the appointment of an interim factor, who keeps the property till the election of a trustee. It is thought, but not without doubt, that the maintenance of the official assignee of England is preferable to the adoption of the provisions of the

Scotch law. It is in this way that the committee have endeavoured to keep distinct the mercantile and judicial elements in bankruptcy: while, on the one hand, they have left in the hands of mercantile men that which mercantile men are as competent to perform as official men, and have a greater interest in performing speedily and well than official men can have, they have avoided the opposite error of vesting judicial functions in the hands of creditors. With respect to the penal part of the bill and the proposed jurisdiction of the county courts, I do not mean to trouble you; neither will I enter into the differences which exist between the bill of the committee which I introduced into the House of Commons, and one introduced some time after in the House of Lords by the Lord Chancellor. In the department of law these provisions and these differences can be fully discussed, and the course to be adopted next session can be determined. I shall be happy to give my aid, such as it is, to the great purpose of amending the law of bankruptcy and insolvency, in such manner as may be thought most desirable. In case of my proceeding with the bill, Mr. Headlam, who has taken great pains with this subject, will supply the knowledge in which I am so greatly wanting.

I come now to a question of the greatest interest to the community, upon which I may have the misfortune to differ from some of my most enlightened friends; I mean the consolidation of our laws. No one can doubt that it would be a great public benefit if our laws could be set forth in a clear style, and contained in two, three, or four volumes of moderate compass. Nor will any one deny that the first step to such a result should be the compilation of our existing statutes, subject by subject, without material alteration. But what I maintain is, that the mere enactment of such a compilation, unless Parliament were determined to go further—to repeal what is obsolete; to supply what is defective; to condense what is dispersed; and to place in lucid order what is obscure and confused—would be of little advantage. So far most men will agree with me. Then, to explain my meaning more fully, I will refer to what has been done almost in our own day in two foreign countries. At the beginning of this century the First Consul of France had attained the fame of a great military commander. In his wonderful Italian campaigns he had defeated the most experienced generals of Austria. He had recently seized the reins of power which had fallen from the feeble hands of his predecessors. He had subdued and tamed the remnants of the Jacobin faction, which was still thirsting for blood. He had opened the ports of France to the partisans of the ancient monarchy, who were still panting for a restoration. It was his aim to restore peace

to society, to give to religion her altars, to replace justice in her sanctuary. In the midst of these labours he determined to bestow on France a simple and enlightened code of laws. For this purpose he assembled a council in which the learned civilians of the days of Louis the Sixteenth sate by the side of the able lawyers of the regicide Convention. There, after his morning inspection of his troops, he would sit from twelve at noon till five in the afternoon, never inattentive, never weary, marking out clearly, without passion and without prejudice, the foundations on which property, marriage, commerce—in short, all the complicated relations of life, and the security of life itself—were thereafter to rest. In discussion, the opinion of the ablest civilian, and not that of the military dictator, generally prevailed. When the work had been for some time proceeded with, it was sent to all the legal tribunals of France, with a request that any remarks which the judges might have to make should be transmitted to Paris. Thus debated, discussed, drafted, corrected, augmented, and revised, the Code Napoleon, in its different portions, was published at intervals, extending over seven years, as the law of France. And now what is the result? The splendid victories of Napoleon, the rush of armies, the roar of cannon, the masterly decision, the instant obedience, have passed away. The pride of empire, the kings waiting in the antechamber, the sway of a mighty will from Rome to Hamburg, from the Manzanares to the Elbe, have vanished as the baseless fabric of a vision. But the transactions between man and man, the trial of the offender, the adjudication of property throughout the French empire, are still regulated, and probably will long be regulated, by the statutes of the immortal legislator. Let us take a more recent example. Not many years ago the State of New York determined to revise their laws. In 1827, the revisers, John Duer, Benjamin F. Butler, and John C. Spencer, made their report to the Legislature. In a note to each section which they proposed for enactment, they stated fully and clearly the then existing defects of the law, and the manner in which, in their opinion, the proposed section would remedy such defects. Thus the Legislature had clearly before them—first, the existing law; secondly, its presumed defects; thirdly, the proposed remedy. The result was so satisfactory that, in special session summoned for that purpose, the Legislature of the State of New York, adopting in most cases the opinions of the revisers, consolidated their code of laws. The laws of Louisiana have been revised in a similar manner, with the assistance of men of the highest reputation for knowledge and ability. If we now proceed to consider what has been done in this coun-

try, we shall find that, from the days of Lord-Chancellor Bacon to those of Lord-Chancellor Chelmsford, the revision and consolidation of the law have been a consummation devoutly to be wished. Five years ago, the enactment of a code was held out to our expectations; each year we were said to be at the beginning of the beginning. Three administrations and four sessions of Parliament have promised, undertaken, and dropped the work. Is it not time that we should set about the task in earnest? I will venture to say that, if four or five persons of competent qualifications were appointed as commissioners, they would in a few months make an actual commencement, and in a few years present to Parliament a complete code worthy of the country, simplifying and improving our laws, on principles fit to be adopted in an enlightened age, and founded on the solid masonry of our ancient legislation. Nor can I doubt that such a work would be sanctioned by Parliament, not, indeed, without debate, but without serious delay. I am now about to speak of two subjects as examples of what I should wish to see—one, the amendment of the law of real property; the other, the revision of the criminal law. Our law of real property is involved in a maze of technical difficulties. It has been truly said to be the most abstruse branch of English jurisprudence. Of the Code Napoleon, on the other hand, it has been said—'In the civil law the regulations concerning the enjoyment, alienation, and transmission of real estate, comparatively speaking, are neither numerous nor difficult to be understood; and, in the Code Napoleon, they form a very small and perfectly intelligible portion of that immortal work. It is not extravagant to say that the French law of real estate may be sufficiently understood by a few days of diligent study.' The revisers of the State of New York have laboured to introduce simplicity into their amended law of real property. They have, with this view, proposed that no disposition of real property should extend beyond the lives of two persons, living at the time of the creation of the estate, who should live to attain their majority. This provision now forms part of the law of New York.* I am not saying we should adopt this provision; it may act harshly in some in-

* Labor's 'Law of Real Property of the State of New York,' p. 120. Note 4, sect. 15:—'The absolute power of alienation shall not be suspended, by any limitation or condition whatever, for a longer period than during the continuance of not more than two lives in being at the creation of the estate, except in the single case mentioned in the next section.' Section 16:—'A contingent remainder in fee may be created on a prior remainder in fee, to take effect in the event that the persons to whom the first remainder is limited shall die under the age of 20 years, or upon any other contingency, by which the estate of such persons may be determined before they attain their full age.'—Revised Statutes of the State of New York. An Act concerning the acquisition, &c., of property, real and personal, &c.; chap. 1, title 11, art. 1, sections 15 and 16.

stances—it may sweep too widely in others. Lord St. Leonards, however, whose 'Handybook on Property Law' is a boon to the whole community, has expressed his opinion that a young society ought not to be entangled in the complications of our law of real property.* But, if so, why should an old society not make an effort to be free from them? I recommend this important subject to the special consideration of the department of jurisprudence.

I proceed to our criminal law. Our judicial statistics, it is well known, are very incomplete; indeed, we have hitherto had no information of any value respecting the proceedings of our civil courts. With regard to criminal trials and their results, we have, indeed, valuable annual returns, drawn up by a very intelligent officer attached to the Home Department—I mean Mr. Samuel Redgrave. From the return presented to Parliament I am about to quote the results of the trials which have taken place on several subjects of criminal jurisdiction. Those are the offences of—1st, shooting at, stabbing, or wounding; 2nd, robbery; 3rd, burglary; 4th, housebreaking; 5th, larceny in a dwelling-house; 6th, forgery and uttering forged instruments. The returns show the numbers convicted, sentenced to death, and executed for these offences in one year, in every ten from 1817 to 1857, or, in other words, the changes which have taken place in forty years. I give you the results:—

	Convicted.	Sentenced to Death.	Executed.
1817	911	911	78
1827	1113	1113	41
1837	1061	405	None.
1847	1498	18	None.
1857	2057	21	None.

The population of Great Britain has increased from 1811 to 1851, in round numbers, from 12,000,000 to 21,000,000, and in England and Wales from 10,000,000 to 18,000,000. You will perceive that convictions have increased in a greater proportion. Upon examining these returns more in detail, there is a further result, namely, a great increase in convictions for crimes accompanied with personal violence. Thus, the numbers convicted of shooting at, stabbing, or wounding, has increased between 1817 and 1857 from 26 to 208, and of robbery, from 154 to 378; while larceny in a dwelling-house has only increased from 143 to 246. Burglary has increased from 374 to 473; housebreaking, from 152 to 568, forgery, &c., from 62 to 184. It would be very desirable to have more complete information

* On the occasion of an intimation that an edition of Sugden's 'Treatise on Powers' would be required in America, Lord St. Leonards writes—'I regretted at the time that a new State should embarrass itself with our forms of conveyancing, springing out of the doctrine of uses.'—(Letters of J. Humphreys, p. 56.)

on these several heads. It is very important to ascertain whether the repeal of capital punishment has led to greater readiness to prosecute on the part of the injured, and greater readiness to convict on the part of juries; and, lastly, whether and to what extent crime has really increased. Some information on these heads is no doubt to be gathered from the criminal returns; but much more remains behind which is not ascertained. There is one conclusion, however, to which I think we must all come. If high treason and murder are to be the only offences for which capital execution is in future to take place, those crimes alone should have capital punishment affixed to them by law. The sentence of death ought no longer to be a vain form, somewhat lightening the penalty actually inflicted on the offences for which death is only the nominal punishment. Leaving this consideration, a question of the utmost consequence to society arises in the present state of the law. The punishment of death being nearly discontinued—transportation to a colony virtually abolished, it has become a necessity for us to consume our own crime, and not to send it forth to contaminate other parts of the world. Hence it is a problem of the deepest interest to us to ascertain in what manner the thousands of criminals whom we used to send to Australia can be most effectually punished, for the sake of example, and most effectually reformed, for their own sake and that of the community. Considering how recently this problem has been submitted to us, and how difficult its solution, we may, I think, be satisfied with the progress we have made. Under an act passed at the suggestion of the Duke of Richmond, more than twenty years ago, inspectors of prisons were appointed, of whom Colonel Jebb was the chief. Under a subsequent act a Board of Directors of Convict Prisons in Ireland was established, of which board Captain Crofton is the chairman. Colonel Jebb has been for some years entrusted with the charge of all the Government prisons in England. He has made several very able reports on the system he has pursued. Mr. Hill, the Recorder of Birmingham, read in the Town-hall, at our meeting of last year, a most instructive paper on the Irish system, in which he declared that the question, 'What shall we do with our convicts?' had been practically solved. There are, indeed, some differences of opinion as to the results obtained between Colonel Jebb and Captain Crofton. Leaving those differences aside for the moment, it is sufficient for our purpose to record the following net product of our experiments:—1. When a person charged with a criminal offence is sent to prison before conviction, for safe custody, it is essential that he should be kept separate, and not turned loose into a company of notorious offenders, to corrupt and be corrupted. 2. That after conviction the criminal

should be confined separately for a limited time, in such a manner that solitude, enforced sobriety, and the exercise of industry, as his sole resource against weariness, may prepare him for a better course of life. It would be unwise to transfer him at once in his subdued state to a condition of freedom, when his very want of energy would probably lead him back to crime. 3. After separate imprisonment, the convicts in England and Ireland have, with the best effects, been removed to prisons, where each has a separate cell for sleeping, but where the work is in common. 4. The Board of Directors in Ireland have introduced a plan of intermediate prisons, where the best conducted prisoners are relieved from military or police guards. The convicts have, however, their appointed work, their rations, their gratuities. At this period they are allowed to obtain by inquiry promises of employment on their discharge. When these promises have been ascertained to be trustworthy, the prisoner is set free, but for the unexpired period of his sentence he remains under the supervision of the police. 5. The passage from one class to another, and the distribution of gratuities, is regulated by the number of marks obtained for good behaviour. The principle of this plan was, I believe, originally suggested by Captain Maconochie. The general results of these systems of discipline are spoken of with much satisfaction by those who have put them in force. Colonel Jebb thinks that seventy-five per cent. may be reformed. He says, 'Almost the whole of the men go back to the parishes from whence they came, and in a great proportion of instances they obtain employment.' Captain Crofton says, 'I am far from assuming that the seventy-five per cent. drafted into the intermediate prisons get their bread honestly, or are endeavouring to do so; but I do know, and am prepared at any moment to prove, by police and personal reference, that the great majority are getting their bread honestly, and frequently under circumstances of some considerable hardship; and that, included in this great majority, are some of those known to the police formerly as the most reckless and daring burglars.' This is a very encouraging result. Nor is its value much diminished by the knowledge that it has been obtained, not merely by the adoption of a sound system, but by the unceasing active exertions of those engaged in carrying it into effect. It is true the officers employed have not only been remarkably vigilant in watching the conduct of such men under confinement, but they have also been singularly zealous in procuring employment from private persons for those who have been liberated. With less care and intelligence it may be admitted the system would not have succeeded; but the same thing is true of the reformed administration of the Poor-laws,

and indeed of every department of Government which is well conducted. We may surely presume that the country will always furnish men of ability and energy competent to such a task; it must be left to our responsible rulers to make their ability and energy a title for employment. We may now look to the other part of the system—the convicts who are to be the subjects of this discipline. Among them will always be found—1, young persons who have been brought up, or rather left to themselves, by vicious parents, and who, without wickedness of character, have adopted from habit a mode of life they saw prevalent around them; 2, the offspring of good parents, who, having a strong propensity to vice, have been led astray, but who, now contrite and repentant, are ready to say with the prodigal son, 'Father, I have sinned before heaven, and before thee, and am no more worthy to be called thy son;' 3, criminals who are actually weary of the vicious life they have led. Virtue appears monotonous to the young profligate, but vice is often far more monotonous to the old offender. Criminal indulgence is to him no longer a temptation, and nothing but want of effort and energy to escape from confirmed habits, and begin anew, keeps many a reprobate in the ruts of his old road. It is this energy which a well-contrived course of prison discipline should supply. Indeed, the treatment of a criminal is not very different from the treatment of a patient attacked by fever. The first object is to subdue the fever; the next is by strengthening diet to raise the system again to a condition of sound health. There remains, however, a further problem. Supposing with Colonel Jebb that seventy-five per cent., or, with Captain Crofton, that a majority are induced to get their living honestly, what is to be done with the irreclaimable minority? Admitting that this is a problem of great difficulty, that difficulty is much lessened when the whole body has been so sifted that the portion of husk and refuse remaining is comparatively small. Would it be too much to say in reference to persons whom the law fifty years ago condemned to the loss of their lives, that those lives should be spent in public labour, and that no period should be assigned for the remission of their punishment? This portion would, of course, consist of only the irreclaimable few; but while the punishment would reach few, the fear would extend to all. There is another portion of our convicts separated from the whole body by their age. The axiom that *malitia supplet ætatem*, though long admitted by our law, is not consistent with reason or humanity. It is ascertained that three-fourths of the criminals under seventeen years of age are the children of bad parents. It may be that the disposition of these children is, in a majority of cases, quite as good as that of

those who are untainted with crime, and have never been brought before the courts of justice. Yet it is of such as these that Miss Carpenter says, in 1856, 'Within three years a little boy of eight years old was solemnly sentenced, in open court, to six years' penal servitude for housebreaking! A diminutive girl, of ten, and her brother, a couple of years older, were placed at the bar of their country to answer for the once capital crime of horse-stealing!'* This subject has, however, for some time attracted the attention of the Government and of the public. In 1834, Mr. Goulburn, then Home Secretary, designed the prison of Parkhurst as a place of detention and reformation for boys, who were to be taught, instructed in trade, or employed in agriculture, and sent to the colonies. Twenty years afterwards an Act of Parliament was passed sanctioning detention in the reformatories which the benevolence of individuals had founded for children and young persons under seventeen years of age, authorizing that detention for a period not exceeding five years, and allowing a contribution of 5*s*. a-week (since raised to 7*s*.), in aid of the sums collected from private sources. It cannot be denied that the principle upon which this Act is founded is sound, nor can it be said that success has not attended the efforts made by the benevolence of individuals thus aided by the State. Lord Stanley, whom I name with honour and regard, addressing the National Reformatory Union at Bristol, in 1856, says, speaking of foreign as well as home reformatories, 'At Mettray, eighty-five per cent. by one account, eighty-nine per cent. by another, of the inmates sent out into the world are doing well. These reports are taken from the report of 1855, when 900 youths had passed through the institution. Of the eleven per cent. who had relapsed (vagrancy being reckoned as a relapse, without proof of absolute crime), one-fourth, or about two-and-a-half per cent., had recovered their lost position. At Red Hill, where 720 boys have been discharged since the opening of the school in 1849, Mr. Turner states that seventy per cent. have been reclaimed; adding, that of all who have left there, the emigrants have done best, and that the proportion of relapses among these is lower than among those who stay at home. In the Glasgow House of Refuge, out of 400, eighty-five per cent. have been reclaimed.' By the Acts of 1857, of which the first was passed through the House of Commons by Sir Stafford Northcote and Mr. Adderley, and the second by Sir George Grey, magistrates were empowered to commit vagrant children to industrial schools for a term of years, and counties and boroughs were enabled to grant pecu-

* Report of the First Provincial Meeting of the National Reformatory Union, 1856, p. 115.

niary aid to reformatory schools. In the report of Mr. Sydney Turner, Inspector of Reformatories, I find it stated that the Reformatory Act has been more extensively applied in Liverpool than elsewhere, and that juvenile delinquency has in this town been effectually diminished. This result is attributed in a great degree to the exertions of the Rev. Mr. Carter, chaplain to the Borough Gaol of Liverpool, who has been successful in calling upon the parents of criminal children to contribute their quotas. There can be no doubt that this is one of the best provisions of the act. In Scotland, by Mr. Dunlop's act, vagrant children are removed by the magistrates to industrial schools, and it is stated that in the town of Aberdeen especially, the absence from the streets and lanes of disorderly and neglected children is very striking. There are two observations on this subject which I wish to make before passing to a different field. The first is, that those who have charge of the reformatories ought to try various methods of awakening the moral sense, and applying the physical energies and buoyant animal spirits of the boys committed to their care. Uniformity, regularity, silence, may constrain permanently the minds of men; these methods, in the case of young boys, may be only pressing down a spring which will rebound with the more force when that pressure is removed. I remember upon a visit which I paid to Mr. Fellenberg, at Hofwyl, that he carried me some miles into the hills to see what he called his little Robinson Crusoe. It was a large field, in which ten or twelve boys were digging and preparing the ground for seed; before this they had constructed for themselves a wooden hut, where they had their meals, and their sleeping place. These boys, indeed, were not criminals, but the task set them was a good illustration of the importance, in the eyes of their benevolent and sagacious instructor, of some occupation that shall rouse the invention, at the same time that it fatigues the body. I remember also, at the juvenile prison at Parkhurst, Captain Woolcombe, the first governor of that establishment, showed me a boy upon whom he said all instruction and exhortation were thrown away, until he perceived that the boy was moved by music. This faculty was cultivated and developed, and thence a way was found to soften and mould his obdurate disposition. These instances lead me to the other remark I have to make. Every one must have observed the new influence which is not being asserted or sought, but is falling to the lot of women in swaying the destinies of the world. It is not a share in directing the patronage of ministers or guiding the councils of kings, as in former times, but a portion in the formation and the moulding of public opinion.

For a great part of our periodical literature, for much of that world of fiction in which many live and nearly all take delight, we are indebted to the ethereal fancy, the delicate perception, and the grace of expression possessed by women. It seems to me, and I am confirmed in this opinion by the bright examples of heroic benevolence we have seen of late years, that if the young generation are to be an improvement upon their fathers, if sin is to have less dominion and religion more power, if vice is to be abashed and virtue to be honoured, it is to women that we must look for such a regeneration.

I pass to the subject of Education. I will not waste your time in examining and repeating the objections which have been made to the general education of the people. It may suffice for me to say that it is education which enables the Scotch labourer's son to compete with the most favoured of his contemporaries, to rise to the highest posts of dignity and power, and to scale the loftiest eminences of science. It is education which enables the United States of America to proceed in their wonderful career, upheld by the most popular institutions, without serious disturbance of law and order. It is education which in England has mainly prevented such tumults as forty years ago broke the peace and alarmed the mind of this country. It is education which has bound the mass of the people to the Throne by the links of an enlightened loyalty. On the subject of education there appears to me to have been a change somewhat similar to that which took place many years ago on the subject of geology. At that period geologists were divided into Neptunians or Vulcanians, Wernerians, or Huttonians, and hot was the dispute regarding the best theory of the formation of the crust of the world. Some wise men said, however, 'Let us first investigate the facts, without troubling ourselves what theory they may confirm or invalidate.' This has now been done for many years; and assuredly while controversy has diminished, science has gained by the change. In like manner popular or national education has been a matter of warm contention among sects and parties till the present year. Sir John Pakington, who presided in the department of Education last year, and who deserves the highest credit for his labours on this subject, proposed in the late session of Parliament, with the concurrence of the best friends of the cause, that an address should be presented to the Queen in favour of the appointment of a royal commission to inquire into the present state of the education of all classes in England and Wales. The late Government acceded to this proposal, and the present has named commissioners of high reputation and weight in the country, of whom the Duke of Newcastle is the president. From this commission we look for

a fair, impartial display of facts, upon the bearing of which Parliament and the nation can decide. Opinion is still in the gristle upon this subject. For my own part I confess that, anxious as I am for the progress of education, I am quite willing to renounce any desire to establish in this country the system of France, Austria, or Prussia. The freedom of choice in our modes of popular instruction—the noble fountains of literature, sacred and secular, which are open to the youth thirsting for knowledge—the power to range over the writings of Bacon and Shakspeare, and Milton and Addison—seem to me to make our national education, imperfect and incomplete as it is, still far superior to those continental modes. I must not omit to mention the great efforts which have been recently made to improve the education of the middle classes. The examinations instituted by the University of Oxford do honour to that venerable body. Nor ought we to pronounce hastily on the result of the first of these examinations. It seems to me apparent that at a time when not only degrees and honours are attached to successful competition, but the very entrance to the civil service, and the scientific part of the military service in India, is guarded by examiners, it is of the utmost importance to understand rightly what the nature of the prescribed inquiry is to be. I hope that while all honour is paid to attainments, while quickness and self-possession on the day of trial have their due reward, the qualities of diligence, and fidelity, and steadiness in a clerk, of a ready perception and a prompt judgment in a soldier, will not escape the judging eye of our chief examiners. Even in awarding a degree much discrimination is required, and a failure in one branch of knowledge may be balanced by excellence in another. Some severity at the commencement of such a system is both to be expected and desired; but I repeat, the system itself must be carefully watched, and the experiment must be often repeated before it can be said that the strength of our new machinery has been fully tested.

On the question of Public Health I find this statement in the Registrar-General's report of the quarter ending June 30, 1858. 'Upon dividing the population into two portions (1), the 8,247,117 people living in rather close proximity to each other, and (2), the 9,680,592 living much further apart, the result is that the mortality in the dense districts was at the rate of 24.73, nearly 25 in 1000, while in the other districts, over which small towns and villages are distributed, the mortality was at the rate of 19.58, nearly 20 in 1000 of the population.' Thus it appears that five persons more die every year in every 1000 of the 8,000,000 of people living in large towns than of the nine and a half millions of people living in the

country: in other words, the excess of deaths in the large towns is 40,000 a-year. When we add to this result the fact that temptations to intoxication and to vice of every kind are far more common in towns than in the country; that the means of education are likewise in large towns either less complete or less used, it is alarming to find by another statement of the Registrar-General that in England and Wales the town population is increasing much more rapidly than the population of the rest of the country. I suppose every one will agree that the tide of population cannot be checked or diverted from its channel; yet we cannot deny the importance or the urgency of the following questions. 'Now, in England and Wales the town population is increasing much faster than the population of the rest of the country; and the question is therefore becoming every day graver—How is the health of the nation to be sustained in the midst of the new dangers which millions of its people are encountering?' This question, doubtless, does not admit of a perfectly satisfactory answer. Yet it is encouraging to observe how on extraordinary occasions vigilance and science have been rewarded. I will take as my first example the instance of Tynemouth during the visitation of cholera in 1853. During the epidemic of 1848-9 Tynemouth had lost from cholera and diarrhœa no less than 463 persons. But in the summer of 1851, on the petition of the Town Council, the Public Health Act was put in force, and regulations for common lodging-houses and slaughter-houses were immediately adopted. New streets and houses were built in conformity with prescribed rules. In the autumn of 1852, when the return of cholera was considered probable, an active inspection of the town was commenced by the Public Health Committee, the by-courts and lanes cleaned, the gully-grates trapped, and local nuisances removed. On the report of the first death from cholera at Newcastle, in 1853, all these measures were renewed, and further precautions adopted. The consequence was, that while Newcastle and Gateshead lost nearly 2000 of their people, there occurred at Tynemouth, eight miles distant, only four fatal indigenous cases. This result was accomplished at a cost of little more than 200*l.* While such has been the benefit of extra vigilance and precaution adopted for an emergency and stimulated by fear of sudden calamity, there are continually at work causes of pestilence, destroying their thousands and their ten thousands, which a vigilant and intelligent local administration might remove in many cases, and mitigate in all. I will now proceed to give another instance of the effect of sanitary measures. A London water company distributed in 1848 very foul water. In the cholera epidemic of 1848-9 there

died 1925 of those who received their supplies of water from this company. Between 1848 and 1853 the company improved the quality of their water. In the cholera epidemic of 1853-4 the number of their customers who died was 611—or less than one-third of the former mortality. In the meantime another water company supplied water still fouler than at the former period; and the mortality of those who used their water was increased from 2880 in 1848 to 3476 in 1853—so that while the proportions in 10,000 persons in 1848 were 118 and 125 respectively, those proportions were more than reversed in 1853; the former rose from 118 to 130, and the latter sunk from 125 to 37. Nor can it be doubted that while such are the consequences in cases of increased and unusual mortality, the evils which occur daily and yearly from the same causes are no less remarkable, though less remarked. Let us fix our attention, therefore, a few moments on this permanent action upon our population. The inhabitants of the towns increase much faster than the inhabitants of the country, yet the mortality in towns is much greater than the mortality of the country. In London, which is the healthiest of our large towns, the average rate of deaths in seven years ending with 1857 was 24.07 in 1000. In Birmingham it was 26.79; in Manchester 31.48; in Liverpool 32.73. In this town of Liverpool the population, if unsupplied from elsewhere, would hardly maintain itself. Yet the death rates show some improvement. In ten years, from 1841 to 1850, it was 36 per thousand; it is stated for the last seven years to have been under 33 per thousand. While this great mortality has been proceeding almost unchecked, it has been ascertained that there are means simple in their nature, practical in their application, moderate in their cost, which would very much lessen this frightful evil. By an act of last session (the Local Government Act) towns and corporations have it in their power to use these means. Undue prejudice and false economy have long delayed the adoption of the remedies prescribed; these are, good supply of air and water, cleanliness, prohibition of overcrowding, removal of noxious matter from the streets and houses. Public taxes which interfered with these objects—the tax on windows, the taxes on coals, on candles, and on soap—have of late years been removed. Heavy, indeed, will be the responsibility of those who, having the power to procure for themselves and their children the conditions of health and strength in place of those of disease and death, refuse or hesitate to adopt the remedies within their reach. I have spoken of the different rates of mortality in town and country. But this is only a part, and not the strongest part of the case. Feebleness, chronic disease, want of energy, mental and phy-

sical, reduce the tone, and, I may say, depress the moral character of our town population. The excitement of drams and the stupor of intoxication are sought as a relief from the lowness of spirits engendered in an unhealthy atmosphere. Hence quarrelling, strife, assaults, poverty, and neglect of education for the offspring of this degenerate race. Instead of healthy parents and robust children, fitted to continue from generation to generation a mighty governing people, we may see what Milton has so well described—

> All maladies
> Of ghastly spasm, or racking torture, qualms
> Of heart-sick agony, all feverous kinds,
> Convulsions, epileptics, fierce catarrhs.

And we may end with his sublime words—

> Despair
> Tended the sick busiest from couch to couch,
> And over them triumphant Death his dart
> Shook, but delayed to strike, though oft invoked
> With vows, as their chief good and final hope.

There are some general considerations which may here find their place. We can never expect to raise Birmingham and Manchester to the conditions of life attained by the healthy parts of Northumberland or Sussex. The increase of numbers in our great towns must be supplied by our healthy country villages. The higher wages of the towns will always attract young men as labourers, and young women as servants or factory workers, to supply the demand of increasing trade and commerce. Emigration at the same time will drain off the more adventurous parts of our people. Nor are there wanting in the New World and at the Antipodes communities where industry finds its reward, where the hearty meal and the cordial welcome renew the hospitality, while a representative assembly and a free press reflect the liberty of the old country.

Proceeding to the fifth and last department—that of Social Economy—I recommend to your consideration the important subject of emigration. The conditions upon which it can be successfully undertaken—the influence which it has on the present, and is likely to have on the future state of this nation—are topics which require and will obtain the earnest inquiry of my right honourable friend, Sir James Stephen, the able president of the department. There is another subject connected with emigration and other parts of social economy which deserve the attention of this department. The conditions of industrial success in nations appear to vary from time to time, and to be subject to periodical changes of great importance for good or for evil. Thus we find in the *Utopia* of Sir Thomas More, and other

works of his contemporaries, that the extension of trades and the demand for meat in England produced a change of cultivation which drove many families from their dwellings. A similar change seems to have taken place in the same century in Spain. In Scotland the cessation of the religious disturbances caused by the Stuarts and the union with England led to a complete revolution between the days of Fletcher of Saltoun, and those of Robertson the historian. Lastly, in Ireland the social and political evils which afflicted that country for a century seem to have reached a crisis in 1848. The famine of 1847 was a dispensation of Providence which the care of Government could not avert, and could only partially mitigate. There have been, however, measures of social economy adopted by the Legislature, the effects of which deserve impartial inquiry. One of these measures was the introduction of a poor-law, or, in other words, provision for the starving and punishment for the professional mendicant. Another was the Encumbered Estates Act, introduced by the present Master of the Rolls. Both these measures naturally raised a good deal of opposition at the time of their introduction. My belief is, however, that taken together, and accompanied as they ought to be, and no doubt will be, by a strict administration of justice, as great a change for the better will take place in Ireland as took place in Scotland between the accession of William III. and the close of the following century. Of one thing we may be confident, that in natural talents of all kinds, whether for poetry, eloquence, and the arts of peace, or for the eventful vicissitudes of war, no people exceed the natives of Ireland. Happy would it be if that which has hitherto been the reproach of the empire should become her pride and her glory.

A few words before I have done on the general objects of our Association. Our first meeting took place under the presidency of Lord Brougham, who unites in a singular degree the largest views of political and social science with the most laborious practical attention to all its details. While he can survey the whole field of knowledge with the quick and pervading glance of a master, he can work at the task before him with the patient industry of an apprentice. I wish that we may be able to imitate this spirit, though we may not attain to this ability. We are not, like some philosophers of the last century, enamoured of an age of reason which will never come to pass. Nor do we share in the dreams of the philanthropists who, ten years ago, imagined that if property, and capital, and competition were put down by authority, the human race might sit down in happiness and contentment. Our task is more humble, but, as we conceive, more in accordance with the

decrees of our Divine Creator. To mankind is allotted labour as its portion and perpetual inheritance. If any think that he has nothing to do but to eat, drink, and be merry, in that very night as fearful a doom may fall upon him as did upon the tyrant of old. If any suppose, like the masters of the Roman empire, that the sword has done its work, and that nothing remains for them but luxurious enjoyment, that very luxury may revenge the conquered world. If any imagine that to them belongs dominion, and that they may indulge in contempt of the unlettered and ill-fed multitude, that very multitude may overwhelm them in bloody and merciless retribution. It is for us to work as truly as the man who forges the iron bar, or the woman who works at the factory loom. It is for us to endeavour to improve the laws by which the community is governed. It is for us to show how education may be extended and diffused. It is for us to examine and record what has been done for the reformation and punishment of offenders. It is for us to confirm and animate the efforts which are being made to sustain the public health, and thereby preserve for this country her eminence as the home of a vigorous and independent race of men. It is for us to investigate the conditions of the great problems of political economy, which may often admit of exceptions but never of refutations. In so doing we shall best consult the welfare of the present and future generations; in so doing we shall follow the path traced out for us by Almighty Benevolence and Almighty Wisdom.

Address

BY

THE RIGHT HON. LORD BROUGHAM,

ON THE DIFFUSION OF KNOWLEDGE.

IT is an unspeakable relief to those who undertake the discussion of matters connected with the progress of improvement, that they are no longer called upon to demonstrate the fundamental propositions a few years ago the subject of controversy, and especially the expediency, including, of course, the safety, of diffusing knowledge of every description among all classes of the people. The days have long gone by when it was deemed necessary for the peace of society, first, that learning in general, then that at any rate political science, should be confined to the upper orders of the community, as if the humble ranks were either incapable of comprehending it or unfit to be entrusted with it. Assuredly it would not be easy now even for those enemies of progress to draw this line—those who ground their political creed upon their religious feelings, when they call to mind the grand diversity between our pure belief and the false systems which it happily supplanted, the distinction that, above every other, marks its infinite superiority, and proclaims its divine origin. The heathens, even the wiser among them, took the same distinction between the various classes of the community which the adversaries of popular improvement have been wont to take among ourselves. Holding immortality in considerable doubt, of one thing they were quite clear—that it would only be granted to souls of a higher order: 'Si quis piorum manibus locus; si ut sapientibus placet non cum corpore extinguunter magnæ animæ,' says Tacitus. 'But no,' says Cowper, the Christian poet and sage,

> But no! the silver trumpet's heavenly call,
> Sounds for the poor; it sounds alike for all.

All such distinctions have been swept away by the same Gospel which brought life and immortality to light, and the soul of the meanest capacity, of the humblest of His creatures, is as precious as that of the exalted, in the eyes of Him without whose will a sparrow falls not to the ground. From all doubts and all

refinements of caste, therefore, we are now happily relieved; and the word having gone forth irrevocable that the people shall be taught, we are only left to consider what is the best, because the most effectual, mode of teaching.

The course pursued with this object in view during the last thirty or forty years has been to regard self-education as the great instrument, and therefore reading as the principal means, of learning, with the help of such oral instruction as can be obtained through lectures. But as individual or private reading forms the bulk of the process, everything was admitted to depend upon affording easy access to works of an instructive kind, and at the same time of a nature to attract readers. When, thirty-five years ago, I addressed the working classes and their employers in a tract (of which the 23rd edition lies before me), pointing out the advantages as well as the duty of extending their information, I announced the steps about to be taken for establishing an association of which the main objects should be the preparing and publishing of works to help self-education. The Useful Knowledge Society was accordingly formed, and its labours were entirely successful. The price of books, maps, and prints was reduced exceedingly; and a plentiful supply was provided of treatises upon all branches of science at a very low price, and composed in a manner so simple and clear as to convey the required instruction without the help of a teacher, to such as really desired it, and would take the trouble of obtaining it. But a variety of other works was likewise produced, the object of which was to afford instruction in an entertaining or amusing form; and the great circulation immediately obtained by our works of these kind, proved that our endeavours had been attended with success. But we next saw that a much wider scope could be given to our operations, and that classes whom our larger publications did not reach might be induced to improve themselves by reading. Hence arose the *Penny Magazine*, the happy suggestion of that eminent philanthropist Mr. Hill, now Recorder of Birmingham and Commissioner of Bankruptcy. The low price, the admirable woodcuts, the judicious selection of subjects, at once instructive and entertaining, speedily obtained for the paper a circulation till then unprecedented, for at one time 220,000 were sold weekly. The sale, indeed, may be supposed enormous, when sixty guineas could be afforded for one plate, the impression from which, with two or three others less fine, and eight pages of letter-press, was sold for a penny to the public, consequently much less to the retail dealer.*

* *The Saturday Magazine* of the Church Society, begun soon after, reduced our circulation about 40,000, at which we greatly rejoiced, because that excellent publication found access to quarters which ours could not reach.

It remained for others engaged in the same good work of promoting the improvement of the people, to carry this plan a step further, but a most important step, by preparing cheap periodical papers, containing such proportion of works of fiction as should attract persons wholly bent upon entertainment and reading, without any direct view to obtain useful knowledge. The society's works, even the *Penny Magazine*, had never admitted writings of this description, except occasionally a few lines of poetry. Now, it had been found to be quite certain that a vast proportion of readers regarded narrative as alone interesting, and hence history, and especially biography, had been largely introduced into our publications. But it became also apparent that imaginary adventures, scenes rarely or never exhibited in real life, lively descriptions of both persons and things removed from common observation—in a word, stories, whether of a romantic or of a mere ordinary character, would fix the attention which the most interesting realities had failed to arrest, and that thousands would read tales whom nothing else could tempt to take up a book. Nor is this taste confined to the humbler classes of the community. Very many of their betters can with difficulty be got to read any statement of facts beyond a paragraph in a newspaper. But it is undeniable that the remark applies peculiarly to the great numbers who have never acquired the habit of reading, and who are most averse to any such interruption of their other pursuits, or any interference with their rest and relaxation. It is to this class that such works as the *Penny Magazine*, and also papers, in part at least, devoted to works of fiction, are principally addressed; to those who from their vocations have but little spare time which they can employ in reading, their hours of relaxation are apt to be spent either in rest, or in games, or in dissipation. It is to find employment in reading for these hours, and to provide such works as may most powerfully interest, that the greatest efforts have been made; and experience has proved decisively that a considerable part of such works must consist of stories. Accordingly penny papers, published weekly, with good cuts, have been supplied; one part of the letter-press being stories, the rest historical or biographical sketches, and information in a popular form upon subjects of science and art. The greatest care is taken to exclude from the narratives and the descriptions everything that can by possibility either inflame the passions or trench in the least degree upon religious and moral principle. But that is only a negative merit. The object of the whole, both narrative and descriptive, is to cherish feelings of a virtuous and amiable kind, to inculcate the purest moral principles, and to further a spirit of piety and devotion, and more by the actions and the

scenes represented than by mere advice and reflections. Of one individual, John Cassell, who has taken a leading part, perhaps the most prominent part, in these important proceedings, it is fit to mention the name, because he was himself a working man, rose by his industry from a most humble station, has constantly lived with the working classes, and has the most complete knowledge of their habits and their tastes, from daily unreserved intercourse with them. The variety of the works which he has prepared and published is very great, and their circulation extraordinary. The prices which he gives to secure the best assistance of literary men and of artists do the greatest credit to his liberality, and also to his good sense, as his remarkable success proves. He has, indeed, even given considerable sums by way of premium for the production of works by competition—in some cases as much as one or two hundred pounds. It would be endless to enumerate the various works which he and several others have brought out upon this plan. The most widely circulated are the *London Journal*, which sells 350,000; *Cassell's Family Paper, Illustrated*, 285,000; *Popular History of England*, 100,000. One very remarkable publication of this class is the literature by working men, or essays on every variety of subject by working men; proving undeniably the benefits which they have derived from their studies, and also proving that they have not been distracted for an hour from their daily toil. That these works have encouraged a taste for reading among thousands who never before read, and have afforded the means of gratifying it, cannot be denied. We used to reckon that the *Penny Magazine*, at its highest circulation, had nearly a million of readers. According to this estimate, some of the weekly papers must have twice as many.

An opinion has, however, of late gone forth that all the labours of the Useful Knowledge Society and their followers and allies have ended in an entire failure—that no success has attended their efforts to raise the character and improve the habits of the people by increasing the supply of their intellectual food, and bettering its quality. Therefore the grounds of this opinion deserve to be examined. But it must be premised that the patrons of this doctrine wear a somewhat suspicious aspect, and look in some sort as if they were the enemies in disguise of all progress. For though they affect only to dislike the means employed, confining in words their objections to the execution of the works actually provided for the people, it turns out that there is no pleasing them, and if the works are ever so much changed, the same difficulty, the same disapproval recurs. So that it should seem to be the end they dislike, not the means; and they really appear to be of the class which we had hoped and

believed was extinct, and that we have fallen upon specimens of those lost races which peopled a former world, the ancient opponents of all popular progress, though wrapt up in more modern integuments. All we can do for dispelling the delusion attempted to be propagated, is to consider both the fact of what has been effected and the manifest tendency of what is still continuing to be done.

The first objection which meets us we must needs advert to, that it may at once be removed; for it stops the way, and obstructs all improvement. The information conveyed in the manner before described is admitted to be of a limited and imperfect kind; the subjects treated or referred to cannot be fully handled; the instructions given must of necessity be partial, or introductory only. Many readers will go no farther; and therefore by them a very scanty knowledge is acquired. Now, bestowing this is described by the objectors as encouraging superficial acquirements, and the old argument not very correctly put forward in a great poet's verse is repeated in prose not much more incorrect, though less harmonious. But when it is said or sung, that 'a little learning is a dangerous thing,' we can see no harm in adding that there is another thing somewhat more dangerous, great ignorance; not to mention that the one cures itself, while the other perpetuates itself, ay, and spreads and propagates too. For it is almost as true in point of fact that they who have learned a little have their half-satisfied curiosity excited to obtain more full gratification, as it is false in point of fact that sobriety results from excess of drinking. We object therefore to this hackneyed maxim, not because it is hackneyed, but because it is unfounded; as illogical when delivered in plain prose as inapposite when clothed in numerous verse—the falsehood of the position in the one case being equal to that of the metaphor in the other. 'Better half a loaf than no bread,' is the old English saying. 'All wrong,' say the objectors, 'A little food is a dangerous thing; rather starve than not have your fill.' 'Better be purblind than stone blind,' is the French saying. 'No,' cry the objectors, 'if you can't see quite clearly, what use is there in seeing at all.' In the country of the blind, says the proverb, the one-eyed man is king; our objectors belonging to the body of the people there would dethrone the monarch by putting out his eye. But they had better couch their blind brethren to restore their sight, and then his reign would cease at once without any act of violence, any *coup d'état*. Here is a well of precious water, and we have got a little of it in a tankard. What signifies, say the objectors, such a paltry supply? It would not wet the lips of half-a-dozen of the hundreds who are athirst. True, but it

enables us to wet the sucker of the pump, instead of following their advice to leave it dry; and having the handle, we use it to empty the well, and satisfy all.

A person gains some information, it may be only a little. Say the objectors, he is superficial. Would he be more profound if he knew nothing? The twilight is unsafe for his steps. Would he be more secure from slipping in the dark? But he may be self-sufficient, may think he knows much, and look down upon others as knowing little. Is this very likely to happen if the knowledge he has acquired is within reach of all, and by the greater number actually possessed? The distinction is the ground of the supposed influence upon his demeanour towards others; when that difference no longer exists, the risk of his manners being spoiled is at an end. The most trifling instruction which can be given is sure to teach the vast majority of those who receive it the lesson of their own deficiency, and to inspire the wish for further knowledge. But suppose, as must happen in many cases, that no great progress shall be afterwards made, at least it is certain that the proportion is most inconsiderable of those who are not the better for what they have learned; and of those who are the worse for it the number cannot really be said to have any existence.

It must always be kept in mind that there are two descriptions of persons to whom popular literature is addressed, and who may in different ways profit by it—those who from their natural capacity and natural inclination, as well as from possessing a certain leisure, can so far improve themselves as to become really accomplished in the branches of knowledge which they study; and the great bulk of the community who can never go beyond giving a very moderate attention to books—can, in fact, read but very little. Let us first consider the former class, which, though small compared with the mass, is yet again divided into two—those of ordinary talents, but anxious to learn, and those whose thirst for knowledge is not only very great, but accompanied with capacity to excel, possibly even with original genius. Both classes benefit incalculably by the helps which popular literature extends to them. Their love of knowledge is both excited and gratified; and let us observe their progress. The different works which are prepared encourage and enable them to proceed. At first, they are attracted by some tale, or anecdote, or biographical account. Soon after they find in the same paper a popular exposition of a subject in science or literature. This inclines them to go further, and the treatises furnished by the Useful Knowledge Society are within their reach, on different subjects suiting the line they desire to follow, and of various kinds in point of difficulty, and thus adapted to the

progress they may have made, from Mrs. Marcet's plain and elementary explanations up to the treatises of learned professors, like those of the Astronomer Royal, Sir D. Brewster, and Professor de Morgan. So great and varied are the helps afforded to students in humble life, that it has been said that there can be no such thing now as a self-taught person. Let us only reflect how mighty would have been the comfort to such students in former times could they have enjoyed such facilities. What would Franklin have given for them, who, living on a vegetable diet on purpose to save a few pence from his day's wages for the purchase of books, was fain to learn a little geometry from a treatise on navigation he had been happy enough to pick up at a book-stall, something of arithmetic by having fallen upon a copy of Cocker, and from an odd volume of the *Spectator* gained a notion of the style he afterwards so powerfully used? What would Simpson have given for access to books, who could only get, from the accident of a pedlar passing the place where he was kept by his father working at his trade of a weaver, the copy of Cocker containing a little algebra; and even when grown up, could only, by borrowing Stone's translation of 'L'Hopital' from a friend, obtain an insight into the science of infinitesimals, on which, two years later, he published an admirable work while continuing to divide his time between his toil as a weaver and as a teacher? Brindley, the great engineer, was through life an uneducated man; Rannequin is said never to have learned the alphabet; and both executed great works, but with difficulties and delays which reading would have spared them. Harrison, too, though he had received an ordinary education, yet only while working in his trade of a carpenter became acquainted with science by some manuscript lectures of Saunderson falling in his way; and so hard did he find it to obtain adequate knowledge on the subjects connected with his mechanical pursuits, that forty years were spent in perfecting his admirable improvements on the construction of time-keepers, and bringing them into use.

It would be going too far to hold that Franklin's genius, both in physical and political science, could have done greater things had his original difficulties in self-education been removed; but we may safely affirm that both Brindley, Rannequin, and Harrison would have effected far more with the helps which their successors have had; and of Simpson no doubt can be entertained that, even amidst the distractions of his trade, his short life would have been illustrated by far greater steps in mathematical science. For it is an entire mistake to suppose, with some of his biographers, that his genius was not original, and fitted to make great advances in his favourite study. The late

proceedings respecting Sir Isaac Newton's monument have led me to ascertain that Simpson had made the same approaches towards the modern improvement of the calculus which its illustrious inventor himself had done, but kept concealed; and no doubt can be entertained that the germ of the great discovery of Lagrange and Laplace on the stability of the solar system is to be found in the last and most remarkable work of Simpson. It is truly delightful to contemplate such feats of genius, so scantily aided, in a hard-working mechanic, patronized by none. But the same gratification, though certainly in a very inferior degree, arises from seeing the effects of those helps which are now afforded to the humbler classes. Instead of resorting to instances of progress in the physical and the abstract sciences, let us only observe how the study of moral philosophy, in its most practical branches, has borne good fruits. There lies before me a short treatise by a working man, popularly written, because it is addressed to his fellow-workmen in the same line of employment, with the view of removing the prevalent but dangerous delusions on the subject of capital and wages, by explaining the true principles of economical science on this head. No student of that philosophy at the English—nay, at any of the Scotch universities, where it is more cultivated—could have produced a better reasoned tract, or one showing more entire acquaintance with its principles. It is the work of a common shoemaker in the Midland Counties, whose attention was turned to the discussion of the subject by the injuries which the strikes and combinations of his brother workmen were doing to their own interests. Nor is there any fear that his success as an author in expounding these principles will make him neglect another principle as essential to the children of industry as profiting by the means of instruction—that their first duty, as it is their highest interest, is the steady pursuit of their calling; and that their reading or writing, whether for relaxation or improvement, must be confined to the hours which that calling leaves vacant, and makes, as it were, their own. This good young man will not go so far beyond his *last* as to become a professional author; for he may know, and if he does not I will now tell him, what was once said by a celebrated wit in Paris,* the mother of a far more celebrated person, the illustrious D'Alembert,—'Woe to him who depends for his subsistence upon his pen!' By a singular coincidence with the present application of her remark, she adds, to illustrate it,—'The shoemaker is secure of his wages; the bookmaker is not secure of anything.' There may be some exaggeration in this; but

* Madame de Tencin, sister of the Cardinal Archbishop of Lyons.

that it is substantially true appears to be shown by the fact, that the greater part of authors who have no private fortune join some ordinary profession to letters. It is unnecessary to multiply examples of the beneficial effects of popular literature in training up persons even of eminence in the walks of science and art. One may be mentioned of the latter description. Among the most rising sculptors of the day, though he may not yet have obtained celebrity, is one who declares that his mind was first turned towards the fine arts by the woodcuts in the *Penny Magazine.* An affecting instance of the same good result from our labours was related by one of our colleagues, Lieutenant Drummond, afterwards Under-Secretary for Ireland, and inventor of the celebrated light which bears his name. When employed as boundary commissioner at Manchester, by the Government of 1832, he found, in one of the lowest abodes of misery, four families existing, rather than living, in a single room. Of these unhappy creatures, one was an old woman, with her grandson, a boy of ten years old, who had, from the vilest prints, which alone he had seen, gained a certain taste for such things; and when the fine cuts of the *Penny Magazine* came out, he was so delighted with their superiority that he and another boy, his friend, formed a partnership to join in taking a copy of the paper. He set himself to draw; and, getting a few colours of the roughest kind, he contrived to sell his little drawings; so that Mr. Drummond found he had actually made 12*s.* by them, and was so much pleased with the poor lad that he recommended him to a great cotton printer, who placed him in his designing-room. What became of him, Mr. Drummond's death soon after prevents us from knowing; but that he throve and rose in his vocation there can be little doubt. Such is the use of those helps which make us say self-education is altogether changed. But though absolute self-education—that is, education without any help—is fortunately no longer to be discoursed of, that which, with the helps afforded, becomes more easy and more effectual, has still all the advantages—and they are very great—of self-instruction. It gives the inestimable benefit of self-reliance; it unfolds, or at least exercises, faculties which more regular training leaves either latent or little tried; it draws forth original genius; and confers on him who only discovers what others had found out before, all the praise, because he has all the merit, of the invention; as D'Alembert, when he sighed to find, in his unassisted studies, how often he had been anticipated without knowing it, yet felt the conscious pride of his achievements, and gained, too, the more solid advantage of greatly increasing his analytical powers.

A survey of the moral world, individual and social, is fitted to raise the same emotions which inspire us in casting our eyes over the solar system: the movements, the proportions, the action of attractive, repulsive, and disturbing forces—all, at first sight, little to be comprehended, and apparently without arrangement or plan—but all, when deeply considered and carefully compared, reducible to certain rules, and fixed unchangeable order. As new bodies are discovered in the heavens by marking their mutual attractions with those before known, the attractions of science and of letters will disclose to the just and learned observer genius already existing, but now first drawn forth to the view. But the *nebulæ* occupy the largest share in both firmaments; and in the moral their importance is unspeakably superior to that of either the more shining or the greater luminaries. The benefits are beyond all price which the bulk of the community derive from the influence and from the assistance of popular literature; nor can anything be more unreflecting than the doubts which have been raised of its beneficial tendency.

We may begin with the broad fact of the harmless character, to say the very least, of the amusement which it affords. While we admit it to be certain that a considerable portion of these works is devoted chiefly to entertainment, this is certainly altogether of an innocent kind. But it has come in the place of a different class of publications. When Mr. Hill proposed the *Penny Magazine*, the first of the kind now so happily established in the confidence of the people, Mr. C. Knight brought him a list of no less than nine weekly papers devoted to the circulation of the most abominable matter—morally, scandalous and obscene; religiously, not simply infidel, but scoffing and ribald; politically, preaching anarchy hardly even confined to the crazy dreams of socialism; but, as if the editor were that boy become a man who, when the Sovereign went to meet his Parliament, had been arrested for bawling out, 'No King, no Church, no Lords, no Commons, no nothing!' The *Penny Magazine* drove these vile publications absolutely out of existence. A most feeble progeny alone was left to succeed them; it skulked in corners, and ever since has scarcely been heard of. It was like the effect of the Society's Almanac, which put an end to the disreputable fortune-telling tracts before published by the Stationers' Company, and abandoned by them, other and rational year-books being substituted in its place, perhaps immediately, certainly as soon as the illustrious statesman and warrior at the head of the Government, without any application on our part, gave directions that the Society's Almanac should be used at all the public offices. But it is not

only irreligious, and immoral, and fraudulent publications that have thus been supplanted; the far less hurtful, yet by no means commendable works, which study to give the mere excitement of horror, by dealing in accounts of brutal murder and cruel seductions, and in romances abounding in such descriptions, together with ghost stories—these, once so greedily pored over, now find but little acceptation, and have ceased to be in demand. It is most satisfactory to find that the natural preference of the people is for the better kind of writings. At times of political or religious excitement, those of a worse cast may have some success, but it is temporary. The works of Carlisle and Paine have long ceased to attract readers, the people falling back upon papers which combine harmless recreation with some instruction; and the tendency of public prosecutions to give them an interest which they had not naturally was found so manifest, that the Government has long taken the safer course of letting them alone.

But it would be a great mistake to suppose that the benefits of the popular press are negative only. The tales composed for the working men's hours of relaxation are of a kind that address themselves both to the understanding and the heart, at once giving lessons of instruction and fostering the kindly affections. Nor can anything be more groundless than the charges that have been brought against them. Two of these may be at once stated and disposed of. First, we are told that the stories given relate to persons and scenes in high life, and that none other interest the working classes. This is certainly contrary to the fact. That these classes wish occasionally to know what passes among their superiors is quite true, yet not more true than that their superiors desire to dwell upon the actions and the sufferings of each other; but what most powerfully excites the humbler classes, and most deeply imprints itself on their memory, is the story of the actions and the sufferings, the good and evil fortune, of their brethren and equals. They delight to dwell on the struggles of heroism, the endurance of privation, the agonies of anxiety, the resignation under sorrow, of the humbler classes, their own brothers and sisters. He who vividly, above all feelingly, portrays a noble heart, throbbing under a fustian jacket or a cotton gown, records the tears shed for the untimely loss of the young, or the removal of the protection made habitual and venerable by length of years, is sure to find eager and sympathising readers. Nor will he less awaken their minds, though to emotion of a different kind, who describes the anxious fears of conscious but undetected guilt, the ever-wakeful remorse when discovery is not dreaded, and the worthlessness to secure happiness of vicious though successful courses.

Characters thus taken from humble life, and scenes laid in its haunts, most strongly rivet the attention of the working men and their families. And wherefore this? Because the case may be their own. The fiction of to-day may to-morrow be the sad or the happy reality of their own lot. That the narratives and the descriptions which thus attract and thus move them, are fitted to affect others as well may be safely affirmed. It is from experience, no less than from the relation of friends in the higher classes, that we may describe it as impossible to read some of these stories with a dry eye. It must not, however, be supposed that none of the romances, favourites of the great, are thus made conducive to the entertainment of the poor. Some of Sir Walter Scott's have been given in these publications; and it is only to be wished that they had been accompanied with warnings against the perversions of history, as well as the false, and indeed obsolete, political opinions in which some of that great writer's tales abound.

But next, it is alleged that what is termed the new—it should rather be called the improved—literature of the people supplants more solid and more useful works, and the multitude of the readers is given as a proof of this. It is assumed, most falsely assumed, that these are withdrawn from the perusal of other publications. On the very contrary, they are added to the body of former readers, and their numbers prove it to demonstration. Take three instances:—*Cassell's Illustrated Family Paper* began this year with a sale of 300,000, and the *Family Herald* issues 260,000. The *London Journal* is asserted to have had a circulation of 500,000, but its present actual sale is from 320,000 to 350,000. What papers and other periodical works did these 800,000 purchasers take, and what did the two millions, who in the whole peruse these three papers, read before they were brought out? It is quite manifest that this is, if not wholly, yet in a very great proportion, a clear addition to the number of persons who formerly saved from their earnings a penny weekly, and laid it out in purchasing what would help them to pass an hour or two of rest without the weary sense of unoccupied time, or the pernicious resource of drinking. The provision is only made for such as before had none. A new food has been presented to the mind. They who fancy that it comes in the place of other and more wholesome fare would have objected to the potato being cultivated, because it lessened the gains from the growth of wheat, whereas it only produced a supply for those who else were doomed to starve, or to linger out a feeble life on most scanty diet. Nay, the objectors may peradventure belong to the class which would not have the resource of foreign markets open to

us, lest the security against a famine, by giving our people access to the produce of other soils and other climates, should lessen the numbers who consume that of our own. There used to be some persons, nay at one time no small number, who thus held and thus felt alarmed. The race is supposed to be long extinct; and specimens of it are only to be found preserved in the antiquary's collections of political curiosities, as the fossil remains of long-lost animals which once peopled our globe may be seen in the museum of the geologist.

It is quite as great a delusion under which those labour who figure to themselves the promoters of popular literature as indifferent to the encouragement of more severe studies, and the cultivation of profounder science. We of the Useful Knowledge Society can well recollect that exactly the same prejudice prevailed, or, if it did not, was sought to be raised, against the preparation of scientific works in a cheap form, and designed to give information of the most solid and even profound description. Some of the very persons who were remunerated, and amply remunerated, for their writings, derided what they called *Sixpenny Science*, because a treatise once a fortnight for several years was published at that price; but by whom composed? By such mathematicians as Professor de Morgan; such natural philosophers as Sir D. Brewster, a discoverer as well as a teacher; and such botanists as Professor Lindley. It was plain enough that some of those who thus complained of the treatises as not profound could not have read one line of them, from their own profound ignorance of the subjects. Contemporary with the *Penny Magazine* was the *Penny Cyclopædia*, of which it is enough to say that so accomplished a scholar as Professor Long being the conductor, no less a mathematician than the Astronomer-Royal has published in a separate form his valuable contributions to the work; papers, too, composed in so plain and popular a manner as to bring the most sublime truths of the Newtonian philosophy within the comprehension of readers very moderately acquainted with the mathematics.

At the bottom of the clamour against the Useful Knowledge Society's proceedings, possibly not unconnected with the present attacks upon popular literature, was the notion that the gains of authors are lessened, the wages of literary labour reduced—an error not less glaring than that of the common workman who should object to the capital by which his labour is employed and paid being invested at low profits and quick returns. In truth, the fund out of which literary labour is paid has been very greatly increased by the cheap publications. Independently of the *Cyclopædia*, the society did not expend less than 100,000*l.*

in this way, the whole arising from the profits of its cheap works, which, by their charter of incorporation, they were bound thus to expend. When Admiral Beaufort (late hydrographer of the Admiralty) was consulted on the price of its maps, 1*s.* being proposed, he refused to undertake the superintendence of that department if the price were fixed higher than 6*d.*, because he saw that this must secure circulation and profit. J. Cassell and others expend large sums in like manner, and not a little in obtaining prize works by competition. But the duty on paper is a heavy burthen, and goes almost altogether in diminution of the fund destined for authors and artists. It amounted to above 7000*l.* yearly on the *Penny Magazine*, when it was 3*d.* a pound. Had it not been reduced to three-halfpence, the *Cyclopædia* must have been given up; and, even since the reduction, one of the greatest publishers pays Government between 7000*l.* and 8000*l.* a-year, the greatest part of which would be employed in paying for literary labour and plates, were the duty repealed. The exaction of this duty is among the greatest anomalies of our political administration, though it is not the only one; for while endeavouring, by every resource of negotiation and of force, not a little costly, to put down the foreign slave-trade, we give it direct encouragement by opening our markets to slave-grown sugar, and thus also lowering the price of our own free-grown produce. So while we profess to promote education, and, indeed, the improvement of the people in every way, and expend large sums yearly to further this great work, we raise, on the other hand, a powerful obstruction to all our operations by laying a tax upon knowledge in each one of its various departments. We pay for schools in all the ways in which such expenses can be incurred, and we wilfully raise the price of every book which can be used at them. We profess to encourage reading among the people, and we directly and effectually discourage it, raising the price and lowering the value of everything they read. To a certain degree, however, the people have a remedy in their own hands. Let them firmly resolve to meet the paper-duty by practising a salutary economy in the use of their earnings. The tax adds to the price of what they buy to read. Let them deduct as much from their other expenses, and the pressure of the tax ceases. Let them abstain from the use of fermented liquors, at first not altogether, but so far as to increase by a little the sum they pay for cheap works. They will feel themselves all the better for the change, and will be encouraged to carry it further, so as to give up altogether the use of both beer and spirits. That the greatest obstacle to their improvement is also the greatest injury to their health, the worst enemy to their com-

fort and happiness, is undeniable; nor can there be a more natural or more appropriate manner of meeting and overcoming this adversary, than to make the practice of temperance a help to knowledge; thus setting at defiance the obstinate errors of the short-sighted and inconsistent legislature, and shaming it by the wise and provident consistency of their own conduct.

The successors of the *Penny Magazine*, the popular papers of the day, are accompanied, as it was, with other works of a more sustained and complete description; so that the reader who is attracted in the search of amusement, and finds in the same paper some historical or scientific matter, is also enabled, if he by reading it be inclined, to obtain more full information; for these works are, generally speaking, of very low prices. Thus nine papers, which may be called of entertainment, and having a joint circulation of 1,200,000 weekly, are published at a penny; but there are also published at the same time historical and scientific works, some weekly, some monthly, some once a fortnight, at the price of a penny, three-halfpence, the larger ones fivepence and sevenpence. *Cassell's Illustrated History of England*, of which 100,000 are published, in penny numbers, comes already down to Charles II., and costs only 12*s*. His *Educational Course*, and *Popular Educator*, give popular and sound information on natural and moral science, the former in a volume of nearly 600 pages, with tolerably good plates, costing under half-a-crown; and of this, and other similar works, the joint circulation is 300,000. The *Popular History of England*, of C. Knight, is of a somewhat higher price; but the plates, as well as the paper, are greatly superior; and its literary merits are of a very high order. Indeed, nothing has ever appeared superior, if anything has been published equal, to its account of the state of commerce, government, and society at different periods. In all these English histories the soundest principles are laid down in almost every instance. The interests of virtue, of liberty, and of peace, the best interests of mankind, are faithfully and ably maintained throughout, with only the exception that while the atrocities of our wars under Edward are honestly denounced, there is too little blame bestowed on the expedition of Henry V., in its origin a mere scheme of plunder, though becoming, by the most unforeseen accidents, a perfectly unrighteous as well as utterly useless conquest.

The number of popular works wholly religious is very great, and their circulation vast. Seventeen of these have a sale of 900,000. The works of the Temperance Society circulate 300,000 weekly. It is impossible to doubt that much good is done by the works of both classes, with the help of the pious and enlightened persons whose zeal is at once testified and rewarded by

the success of these; but it may fairly be questioned if either the cause of religion or temperance gains so much by the publication of works confined to these subjects as by the judicious proceeding of writers avowedly upon other subjects, making their works, whether of narrative, of fiction, or of discussion, the vehicle of those sound doctrines. A person of irreligious life, or of infidel opinions, will not be easily tempted to read a professedly religious paper; nor will a drunkard bestow either his pence or his minutes upon what bears on its front the name of 'Temperance Advocate.' It must, however, be admitted that both the friends of religion and the advocates of temperance consider their respective causes to have been great gainers, directly, by the popular press. That they have gained exceedingly by the indirect process, cannot be doubted. Upon one class of periodical publications it has not been deemed necessary to dwell—those of the newspaper press, sometimes called the public press, as if all other works proceeded from private printing-offices. The use of these journals is incalculable; their importance, both to the legislature, the courts of justice, the police department, is incontestable; and to the rights, and the lesser interests of the community, their value is such as can only be duly estimated in countries which either never enjoyed such advantages, or have lost them through their wilful folly, possibly their crimes. But in less important respects these publications are of no little value; they are a source of constant entertainment, rational and even useful. 'Had I all the money,' says one writer, 'which I pay in taxes to Government, at liberty to lay out upon amusement and diversion, I know not whether I could make choice of any in which I should find greater pleasure.' Nor are these the words of an ignorant or an ordinary person; they are those of a great divine and philosopher: they are Paley's, in his 'Moral Philosophy.' He shows how the newspapers 'minister,' as he says, 'to the harmless gratification of multitudes;' and adds, that 'the secrecy, the jealousy, the solitude, and precipitation of despotic governments exclude all this.' He did not live to see that middle state between entire exclusion and full possession, of which the last seventy years have furnished, in certain countries, a signal example. It would be wrong if we did not advert to the great improvement, in one material particular, of the newspaper press in our time. The papers which made a traffic of slander have ceased from amongst us. For a while they acted like a drain to carry off the impurities which had before been diffused over other journals. The good sense both of the public and of literary men has now filled up a sewer no longer wanted; and, to all appear-

ance, that portion of the press no longer exists. But it is truly grievous to think that for some portions of the press, though not those now under consideration, certain religious newspapers—we should rather say papers calling themselves religious—there is still a want of the drain; because impurities there abound, extremely offensive. We there find, through the virulence of a factious spirit, outrages upon decorum and truth, to say nothing of Christian charity, which have made pious men refuse to read them, declaring they had much rather see such things served up in the naked simplicity of common slander than smothered in religious sauce. It has been contended that our newspaper press, by the paper duty and other circumstances, is hampered, so as to make the supply fall short of the effectual demand. This may be doubted. But it is further said that the demand ought to be greater, and the example of the United States is cited, where the number of journals is very much larger in proportion to the numbers of the people; where, indeed, a newspaper is reckoned so much an article of first necessity, that no sooner is a spot in the forest cleared for a village than a printing press is sent for. The political situation of America is probably the cause of this. The nature of the Government throws the whole country into a never-ceasing state of party agitation, there being no office, from the highest to the lowest, from President to penny-postman, which may not be changed at each renewal of that high functionary's term; and thus the whole period of his incumbency is passed in canvass and cabal. There seems every reason to think that with us there is already an abundant supply of the article in question; that even Paley would have been of this opinion; that he would have been suspicious of any scheme which tended to deteriorate its quality; that, above all, whatever objection he might have made, and most justly, to the tax, he would have received with entire reprobation any proposal of reducing its price by a piracy upon literary property.

It thus appears that for the treatment of every subject, and to suit the condition, the capacity, and the taste of every class, there is ample provision made in the popular literature of the age; that the means are afforded of encouraging those to read who would else devote their hours of rest to mere listless vacancy of thought, or to dissipated courses; that the opportunity of fuller instruction is given to those who are desirous and capable of receiving it; that while all are thus greatly improved, some are made fit to improve others; that the instinct of curiosity effectually prevents all risks, converting, when desirable, superficial into solid information, but leaving even partial acquirement

to do substantial good; and there is thus the clearest proof afforded of the people's instructors working out the ends of Providence) by the employment of the means bountifully placed within their reach, improving the mass of their fellow-creatures through the intelligence bestowed and the instincts implanted by the Heavenly Father, who desireth not that His children should perish in the darkness of ignorance, but rather that they should learn and live.

Address

BY

THE RIGHT HON. JOSEPH NAPIER,

LORD CHANCELLOR OF IRELAND,

ON JURISPRUDENCE AND AMENDMENT OF THE LAW.

IN proceeding to open the section of Jurisprudence, I have gratefully to acknowledge the honour conferred upon me by the council in selecting me to be the president of this, the first department of social science. The place which has been assigned to jurisprudence cannot but magnify my office; it assuredly furnishes a conclusive and crowning testimony in favour of a separate and responsible department of administration for the affairs of public justice. You are aware of the address to her Majesty the Queen, which, by the judicious and efficient support I received from the noble lord the President of this Association, was carried in 1857, by a unanimous resolution of the House of Commons, and to which a very favourable reply was promptly returned to the House—a reply most gracious and truly responsive; but there the movement ceased. Lord Bacon has wisely observed that 'propositions have wings, but operation and execution have leaden feet.' We must melt them if they will not move. The same great authority has said that 'the establishing of good laws makes a whole nation to be a well-ordered college or foundation.' It is therefore a matter of great public consequence that our laws should be kept in harmony with the progressive spirit of this free nation; they ought to bear the impress of the age in which we live, and be truly worthy of the public justice of a wise and understanding people. The progress of a people in the great onward movement of humanity might be supposed to lead to the reduction rather than to the increase of their laws; it might be expected that men would be constrained by laws written in their minds and hearts, so as to dispense with many positive commands and prohibitions. This is relatively true. But on the other hand, the conventional arrangements of a growing civilization call for the frequent interference of authority, and in meeting the demands of new

combinations of society, and in adapting the ancient laws to the growing wants of an inventive age, a great work is to be done in the department of jurisprudence—a work worthy of being well and wisely done; not, therefore, to be done at any time under sudden pressure or impulse, for then it may be ill-considered and improvident—nor ever to be done in the niggard spirit of a stingy concession, for then it may rather minister to discontent than to social improvement. It must be done generously, efficiently, and responsibly. The present chaotic condition of our laws, I must, at the outset, say is a grave reproach to so great a nation. In saying this, I do not mean to suggest that we have not good laws; on the contrary, I am satisfied that we have many which are not unworthy of their connexion with that universal law so beautifully described by Hooker—'Her seat is in the bosom of God, her voice the harmony of the world.' And let me say further, and I say it with a thankful and a hopeful spirit, that in the last thirty years much, very much, has been done in the great work of law amendment; in the repeal of obsolete and apocryphal enactments; the improvement of judicial procedure, both by increasing the speed and reducing the cost of obtaining justice; in the establishment of local courts, and the awakening of public attention to the gradual improvement of our entire system of jurisprudence. Much of this has been brought about by the energy of those master spirits (I speak both of the living and the dead), not ministers, but high-priests of justice; men who, in the good providence of God, have been raised up from time to time, and have imparted living power, and loftier views, and clearer intelligence to public opinion; to that which, in the end, must test and discriminate and separate the true from the false, reject what is unsuited for immediate use, but absorb what is in keeping with the 'Sensus Communis,' what nourishes the real life and accords with the inherent laws which govern the progressive development of society. Of these master spirits, one is here among us, Henry, Lord Brougham; and if I say of him in this place what I have said of him in the House of Commons, it is because this is stereotyped in the deep conviction of my heart. He has sped his eagle flight against the dazzling blaze of science with an eye that never winks, a wing that never tires, an eye not dim, nor his natural force abated; with all the triumph of his long and useful life, in which he has won so many battles in the cause of jurisprudence, we have him now, with the unabated energy of youth and the matured experience of age, helping forward the work of this great National Association.

Præsenti tibi maturos, largimur honores.

The business of this department is directly connected with the improvement of our laws—their amendment, their administration under our judicial system; and as there are certain subjects of great practical importance which have obtained, as I may say, a right of pre-audience, I think I may properly and with advantage proceed to direct your thoughtful attention to one or two of these that are peculiarly interesting to us at the present time. In the last session an Act was passed for constituting in Ireland the new court, to be called the Landed Estates Court. In the year 1849, under the auspices of our noble president, the Encumbered Estates Court was established. In 1852, the present Lord Justice of Appeal, whose practical wisdom and sound common sense may well be classed with a high order of genius, came to the conclusion that it was not only anomalous but unjust to withhold from a decretal title, in the case of a sale of land under the order of the Court of Chancery, the conclusive character which had been given to a sale under the order of the Encumbered Estates Court. A bill was subsequently introduced by the present Attorney-General for Ireland and myself to give effect to this opinion, which has had to go through the stages and seasons of seedtime, growth, ripening, and reaping; but, at last, the recent Act of the Attorney-General for Ireland—'*monumentum ære perennius*'—has provided 'a local habitation and a name' for a court in which every owner of land in Ireland may have his title certified and made indefeasible. An admirable code of procedure for the working of this court has already been prepared, and I believe it will furnish a satisfactory solution of the difficult question which has for some time attracted public attention—viz., how to simplify the transfer of land, with complete security of title and without disturbing the settled foundations of property. This is a subject upon which we can now happily bring together the teaching of knowledge and the testimony of experience. We have thoroughly tested the working of the system now stereotyped in Ireland, and we have the valuable and elaborate Report of the recent commission for England, which was presided over by my esteemed friend and colleague, Mr. Walpole, under whose watchful superintendence and by whose assiduity the Report was completed. In dealing with the laws of property in a country whose social system is consecrated to order and freedom, we must proceed with cautious circumspection. It is doubtless an easy matter to talk vaguely on making land a commercial commodity, and dealing with broad acres as with bales of merchandize. The practical solution is quite another matter. The question was put to Lord St. Leonards, when he attended as a witness before a committee of the House of Commons, of

which I was the chairman. He was asked by a very zealous reformer, 'Why cannot you deal with land as with railway shares?' 'So you may,' replied his lordship, 'if you choose to ignore all the uses of land in our social system; but if these are to be preserved, the difference and the difficulty exist in the distinctive nature and use of the things compared.' In truth, the common course of society furnishes the most intelligible explanation. When industry or providence has accumulated capital, an investment in land is generally sought, not for commercial gain, but for social repose—for the position and the privileges which belong to fixed property. Land has its local limits; it is not capable of extension. Commerce is co-extensive with the wide world. Land has its system of tenancies, its various easements, its subordinate estates and interests, its encumbrances and charges, its local duties which accompany its acquired rights. Its code of laws is more or less incorporated with the delicate arrangements of family life. Is there any subject which ought to be touched with a more cautious hand? Can we then preserve the settled uses of property, and yet provide liberally for the present exigencies of society—for the wants which arise out of the changes which naturally, if not necessarily, result from the increase of commerce and the growth of manufacturing industry? Can this be done safely and satisfactorily? The Legislature has already conceded to railway companies the right to purchase land and render their title indefeasible by lodging the purchase-money in a court of equity. The notoriety of the transaction and the supervision of the court were supposed to be a sufficient security for the rights of persons not privy to the sale. Public convenience thus required, and the Legislature thus conceded, what has been called a Parliamentary title. Again, in Ireland it became a matter of great public policy to have encumbered estates purchased by solvent proprietors, who might be expected to discharge the duties correlative with the rights of property; and therefore it was of great consequence, in each case of a sale, to clear the title and free the property from its charges. This led to the gradual formation of a suitable procedure, by means of which titles were subjected to a sufficient scrutiny to enable the final conveyance to be made with an indefeasible title; and this has been found to be as safe in practice as it was desirable in theory. The conveyance is simple in its form and conclusive in its essence. The actual working of the system was the subject of special inquiry before a very competent commission of learned men of both countries, and afterwards before the Select Committee of the House of Commons in 1856, by both of whom it was recommended that the principle and the procedure should

be extended to the sale of unencumbered estates. One further step was needed—namely, to include the case of persons not seeking a present sale, but to whom it might be a benefit to obtain a judicial declaration of good title, which might be registered, and so made indefeasible. This step has at last been taken by the recent Act. This class of titles will be subjected to the same process of inquiry, and to the same publicity, as in the case of sale; and although this was considered by some as a bold advance, yet, when it is remembered how the former Act was evaded in order to bring unencumbered properties within its operation, in order to obtain a benefit which adds about four years' purchase to the marketable price; when it must be admitted to be essentially unjust, and therefore impolitic, to depreciate to this extent property not actually in the market, but the owners of which may at any time have occasion to sell or to mortgage, when the delay in obtaining an indefeasible title might not only be inconvenient but injurious; and as evasions by colourable sales to trustees with secret trusts would be resorted to to bring cases within the letter of the Act,—it may be now conceded that the plain, straightforward course was the best, to include all within the plain provisions of the new law. By the imposition of a very moderate duty, regulated according to a graduated scale, a fund will be realized which, together with the investment of other moneys that would otherwise be unproductive, would render this court not only a permanent boon to the landed interest, but a benefit rather than a burden to the consolidated fund.

This has grown out of a kind of bankruptcy code for landed estates; and this naturally leads to the subject which has specially occupied the attention of this section—I allude to the proposed amendment of the English bankruptcy law. It does seem to be most desirable to attain to the utmost practicable uniformity in the laws of commerce, and to begin with the attempt to assimilate the commercial law of the United Kingdom. It may be that this must await the formation of a department for the affairs of justice, and for the present we must make the most of the materials at our disposal. In bankruptcy we have a separate code in each of the three countries. I am happy to say that the new code recently constructed for Ireland works satisfactorily. In the last Report of the Chamber of Commerce of the City of Dublin, it is stated that the new law, 'under the able and judicious administration of the court, has proved of the most important advantage to the public. Under its operation the expenses of bankruptcy have been considerably lessened, the proceedings of the court have been expedited, the power of the

selfish creditor has been curtailed;' and the Report adds, that just provision has been made both for relieving the unfortunate and punishing the dishonest and reckless trader. There are still difficulties to be overcome in checkmating fraud and contrivance, and calling in aid the intervention of official duty where private interest cannot be brought into efficient action. But, as we must proceed upon the facts of your own actual requirements in England, and as I am rather disposed to be a listener than a lecturer on the English code, with which I am not familiar, I will reserve for the discussion to-morrow such hints as have been supplied by the very competent and esteemed judge of the Irish Bankruptcy Court, whose administration of the bankrupt law for so many years has so much contributed to its efficient working.

I come now to a subject in which I have for some time felt a great interest—the consolidation and amendment of our criminal law. Commission after commission has reported, select committees have inquired, a code has been digested, Bills have been proposed—a succession of dissolving views before Parliament and the country. But I am bound in common justice to say that much has thus been done in preparing and providing, in separating and classifying most valuable and available materials, which are now ready for the builder's use. A great work had been done by the late Sir Robert Peel in reducing to order and system the chaos of criminal law. His Acts for England were followed up by corresponding Acts for Ireland, with very few variations; and the criminal statutes of a later period are generally imperial. It is of the very highest policy to assimilate the law of England and Ireland to the utmost practicable extent; and as the legal scavenger and the rubbish cart must be freely employed in cleansing and clearing the statute-book, for Ireland as for England, it is not too much to expect that any plan of consolidation and amendment which Parliament may adopt, and the country may sanction, will remove all the rubbish, and make use of the best materials which can be selected from the statutes of either country, in order to construct an imperial code for the common benefit of both. In thus dealing at this time with the reconstruction of the code of criminal law, we may test the practicability of further assimilation. It may become a question for Parliament to decide, by resolution or otherwise authoritatively, in what form the work should be done to render it finally acceptable. Some earnestly contend for repeating in the new law the very words of the old enactments, with all the jargon of the Old Bailey. Others more rationally suggest that a new code should be framed, in the most exact but plain language—

what was doubtful should be made clear, what was defective should be supplied; and for this purpose we should turn to account authentic judicial decisions. In a word, that we should avail ourselves of all the light and all the information within our power to command, and use our best efforts to make the law consistent with the present state of opinion, and to have it expressed with grammatical accuracy, and as a model for the consolidation and amendment of the entire of our statute law. I must say I am entirely of this opinion, and am prepared to defend and to enforce it whenever called upon to do so. It is high time to be delivered from the bondage of such mischievous, because unjust, classification of crime as felony and misdemeanour, and all the kindred verbiage. Why should we have the most important differences in the procedure for the trial of a felony which is in substance a misdemeanour, and of a misdemeanour which is in substance a felony, if by these terms we designate the essence of the crime? And if we do not, why is the obsolete and unjust distinction to be perpetuated? Instead of these, let us have a sound and rational classification of punishments; and here we are required to make up our minds upon a very solemn question, which now awaits decision—whether we are to retain on the statute book, as a punishment of any crime under the degree of treason, by which human life is not murderously taken away—whether we are to continue in this class of cases the punishment of death? I cannot touch upon this topic without a feeling of deep thankfulness to God that so much of our law that was once written in blood is in the course of being gradually replaced by a humane reformatory system. There is, perhaps, no point of comparison between the past and the present more interesting to those who mark with gladness the progress of society than the change in the moral sense—the public conscience—in reference to the punishment of death. The sacredness of human life is of the essence of religious truth. The unnecessary retention of the punishment of death for any one class of crime is not only a foul stain upon the statute book, it is, constructively at least, a capital offence in the Legislature itself. There may be—I believe there is—a voice within, which in the case of a clear conviction for wilful murder ratifies the sentence of the law, and recognises expiation in the capital punishment. But where life has not been taken—where the intent has been frustrated by providential interference—it is an intimation to us that human justice is to be so far moderated by an overruling Providence, and we should follow the merciful suggestion. I believe that such a view, if adopted in our law, would be consistent with the profound convictions of the wisest and best of

our people, conducive to public morality, and expressive of the attainment of another stage in the march of civilization. If, then, this question of classifying punishment were decided, and the appropriate class allocated to each specified crime, and if the work of consolidation and amendment should embody the conclusions of Parliament on the classification of crime and punishment, and the new law be framed after the manner I have already suggested,—I do not believe that the apprehension would be realized, which some entertain, that the controversy on the new phraseology would in effect defeat the project. I think this is a libel on the Legislature, and I would add, that if this limited project could not be thus completed, I should altogether despair of any general assimilation of the law of England and Ireland, and of any amendment of the statute law of either country that would satisfy public expectation, or be in any sense worthy of the occasion. But I am not disposed to take a desponding view of a work which has become national. We have had, of late years, a very great improvement wisely, though tardily, effected in the procedure of the superior courts of law and equity. It is doubtless easier and safer to remodel the remedies which a system of laws admits than to interfere with the rights which it confers. This species of reform comes into speedy and general operation without disturbance or confusion. It is about fifteen years ago, when I was engaged in arguing a case at the bar of the House of Lords, and in speaking of a decision of the very eminent lawyer then Lord Chancellor of Ireland, I said it was made in the hurry of the Court of Chancery. Lord Brougham replied, 'We never talk of the speed of a broad-wheeled waggon.' At present, how great is the change which has been wrought! Properties which, under the old system, must have been devoured by the delay and the expense of a cumbrous, stall-fed system, may now be administered without any unreasonable delay, and at a moderate cost. And it is well that this most beneficial change has been set on foot. It is not as yet matured as I could wish it to be; for I confess I heartily desire to see the High Court of Chancery worthy of being regarded as the inner shrine of the sacred temple of public justice, and not the byword for costly, vexatious, and ruinous litigation. The blind idolatry of technical procedure, the false worship of our superior courts, roused that impatient and indignant zeal which smashed the ancient tables of the law; but this has ended in the destruction of the idols and the renovation of our judicial system. We are at present dealing in each country with an improved but distinct system of procedure. That such a distinction should be permanent cannot be rationally contended. I look forward, therefore, with hope

that, at an early day, we may frankly compare notes, and construct one system, in which we may thenceforward have a common interest, and which, I trust, may soon be watched over by a department common to both countries. Much has been done, much is under consideration, but the work is great, and we must not expect to be able to sow with the one hand and reap with the other. There is one department which, of itself, might well claim the undivided attention of the most diligent and thoughtful,—I mean the lunacy and minor department of the Court of Chancery. Whether any man should be allowed to have a private asylum for making money by the custody and maintenance of lunatics, where, generally speaking, his interest is not on the side of duty; where the continuance, not the cure, of the afflicted and helpless being under his charge, is for his pecuniary profit; where inspection cannot sufficiently secure the parental care which the State owes to those who cannot be intrusted with their personal liberty; where the withdrawal of a licence may rebuke the offender, but cannot provide a remedy for the unhappy victims of the offence; whether it is not the responsible duty of the State to interpose its authority where private interest is not only inefficient, but adverse; and whether in every case where personal liberty is interfered with there should not be the means for promptly bringing the matter under the notice of responsible authority, and making adequate provision for future custody and treatment (if necessary) in a public institution;—these are grave questions—well worthy of the deliberate attention of this Association.

There is another subject vitally connected with all that we can hope for in the improvement of our jurisprudence, and that is the subject of legal education. Improved procedure —amended laws—much to be valued though they be, yet if we do not secure the moral elevation, the trained capacity, and the love of justice in those who are to administer these laws, we deprive them of their living power, and they take no root in the respect and the affections of the people. Why, may I ask, why should not the profession of the law be dealt with as other professions? Why should not the proper qualification be required, and the suitable education made compulsory, in order to obtain the status of a barrister? And, when obtained, why should preferments be set apart for the barristers of six years' standing, or any longer period of more seasoned incompetence? Some years since it was said in the presence of a lord-lieutenant of Ireland that there was neither 'honour nor honesty to be found in the country.' An old, sagacious physician who was in the room observed that that was going a little too far. 'Perhaps,'

said he, 'there is no great market for the articles; for surely supply will soon meet demand.' In the several inquiries on education, military, medical, and the commission on the inns of court, there will be found a concurrent testimony in favour of laying the foundation of a good liberal education before the work of special instruction should begin. This instruction is not education, and without education it is but handicraft. I must not be tempted to poach on the manor of Mr. Cowper; but I know he will not object to my recording the heartfelt pleasure with which I hail the testimony, that it is our interest not less than our duty to educate a man for his own sake as a moral, intelligent, accountable, and immortal being: and the more careful this training and teaching, the more complete this education, the more certain the success of special and subsequent instruction. If, then, the progress of education were ascertained by periodical tests; if university degrees were made a plain reality, and not a pompous fiction; if the inns of court would (as I have reason to believe they will) secure the required qualification before they admit to practise; and if the policy of the public service were such as to encourage and reward merit, doing justice to those who devote themselves to the administration of justice, then might we reasonably expect to have men worthy of that profession which has given to the country its Hale and its Somers, with Holt and Mansfield, with Bushe and Plunket, these lights of other days, illustrious men who have left behind them a track of glory which has not ceased to shed its lustre on the profession which nurtured their genius and their virtues. The country is deeply interested in surrounding the profession with all the security which can be afforded by liberal education and enlightened policy. On the moral results may much depend the pure, dignified, and impartial administration of justice, and with this are bound up the order, the freedom, and the maintenance of civil society.

It is not, then, without reason that jurisprudence has been placed at the head of the sections of this Association. Why should not it also have a separate and principal department of administration? How otherwise can we collect, and record, and make timely use of the practical suggestions which come from those who are engaged in working the laws? How can we bring public opinion steadily to bear on judicial procedure without regular judicial statistics? How is our code of judicial decisions to be maintained as part of a binding system of law, if these decisions be not authenticated, reported by responsible officers, and published under responsible authority? The suit between A. B. and C. D. involves a decision, in which the public is a party deeply interested. But there is no public provision made for

an authentic report of such a decision, or that it should be dealt with otherwise than as the private litigant, the casual, perhaps incompetent reporter, or the speculating publisher may secure. If there were a Department of Council with the Chancellor at its head, and under this a Secretary of the Affairs of Justice, with a seat in the House of Commons, and a staff sufficient to enable this department to supervise the administration of public justice in the United Kingdom, with a view to the amendment of the law and the exigencies of public justice, there would be, to use the words of the late Lord Langdale, a very busy and most valuable department. And, if the Legislature might require the occasional assistance of such a department in aid of current legislation, it might be given without in any degree interfering with the constitutional freedom and accustomed privilege of any member of either House of Parliament. Nor is there a session in which examples of imperfect or erroneous enactments could not be found to prove the need of some such protector of the public, who suffer frequent injustice under the present system. I am not disposed to indulge in any visionary expectation of a perfect system of laws, or that we can by any contrivance secure absolute purity of administration. 'Human institutions,' says South, 'cannot wholly be constructed on principles of science, which is proper to immutable objects. In the government of the visible world the Supreme Wisdom itself submits to be the author of the better, not of the best, but of the best possible in the subsistency relations. Much more must all human legislators give way to many evils rather than encourage the discontent that would lead to worse remedies.' But the use of timely remedies is a standing duty. The continued neglect of functional irregularity leads to chronic disease and organic disorder. All analogy and all experi[illegible] from the pruning of th[illegible] the repair of the [illegible] each [illegible] he c[illegible] is necessarily [illegible] ad [illegible] [illegible] be post- [illegible] the wisest thing [illegible] can be exactly [illegible] was two hundred [illegible] imagine that the [illegible] should serve him [illegible] alter changeth the [illegible] the [illegible], where- [illegible] is a long tract of [illegible] be changed, or [illegible] and conditions.' The [illegible] in the arms of the dead, [illegible] statute book should

therefore be cleared of all that is not now proper to bind the free citizens of this generation. Some laws have been but the scaffolding of our social system; the removal of such cannot weaken the foundation or shake the superstructure. Others have lost the sanction of public opinion, and a law which cannot be enforced without offending public feeling ought not to be retained. Again, there are laws which are now happily superseded by the improved intelligence and moral convictions of society; laws which may, perhaps, have aggravated the evils which they were called on to remove, for these could only yield to higher influences. Moral evils properly require moral remedies. Thus is there a great work of reconstruction, in which we are called upon to proceed as wise master builders, with the caution of men who profess to honour jurisprudence as the chief department of Social Science. Ignorance or empiricism, with rude or unskilled hand, might level in an hour the work of a century; but we seek for sound experience, the test of free discussion, the approval of practical wisdom. It is in this spirit, thus led by the hand, with an honest desire of keeping pace with the progress of enlightened opinion, that I have advocated, and still advise, the formation of a Department of Jurisprudence, like that of education.

> Learn to be just, just through impartial law,
> Far as ye may, erect and equalize;
> And what ye cannot reach by statutes, draw
> Each from his fountain of self-sacrifice.

This is the work of social science, a work eminently Christian. The Divine Founder of our pure and practical religion, the greatest yet the lowliest of beings, was the gentlest and the kindest and the best, and they who would follow Him need not turn from the path which leads to the social welfare of others, nor reject the agencies which we here seek to invigorate and improve. This co-operation in duty may help to soften the severity, to subdue the pride of opinion, and nourish the spirit which should ever urge us to love our neighbour as ourself. In this season of prosperity, in this time of peace, how thankful am I to have the privilege of uniting with the elevated peer, the enlightened commoner, the sagacious statesman, and the thoughtful scholar, upon common ground for the common weal, under the blessing of God, publicly and solemnly invoked. The future of England, which Niebuhr rather supposed than predicted, was this,—no longer to try to domineer over the continent of Europe, but to busy herself with the nobler work of social reformation. One of her own great poets has assigned to her the lofty mission to teach the nations how to live. Another—the purest, most thoughtful and tender-hearted—has recorded the triumphs of

her social industry in words which are associated with all that surrounds us in this great community :—

> At social industry's command,
> How quick, how vast an increase! From the germ
> Of some poor hamlet, rapidly produced,
> Here a huge town continuous and compact,
> Hiding the face of earth for leagues.
>
> Hence is the wide sea peopled; hence the shores
> Of Britain are resorted to by ships
> Freighted from every climate of the world
> With the world's choicest produce. Hence that sum
> Of keels that rest within her crowded ports,
> Or ride at anchor in her sounds and bays;
> That animating spectacle of sails,
> That through her inland regions to and fro
> Pass with the respirations of the tide
> Perpetual, multitudinous! Finally,
> Hence a dread arm of floating power—a voice
> Of thunder, daunting those who would approach
> With hostile purposes the blessed Isle;
> Truth's consecrated residence—the seat
> Impregnable of Liberty and Peace.

Address

BY THE

RIGHT HON. W. COWPER, M.P.

ON EDUCATION.

IT now becomes my duty to address you on the second branch of the great subject which has collected us here. Though science in general may best be cultivated in retirement, by reflection and study, yet Social Science, which has for its subject the influence of man upon man in social relationship, in corporate action and national life, may, more than other sciences, be advantageously considered in a conference of many who meet together from different quarters and various standing points to combine in a common effort to extend the bounds of this vast but incomplete science, and to discover new methods of promoting the welfare and improving the condition of our fellow-subjects. We may hope, by the collision of minds in a numerous conference, to draw from the cold flint and steel of individual thought and individual feeling those sparks of enthusiasm which, fed by the sympathy of numbers, may kindle a flame bright enough to light up the dark places of our land, and clear enough to guide the steps of those who will descend into their depths to lead out into a purer atmosphere the degraded and the abject.

In this age of average capacities, when associations and joint-stock combinations are resorted to for every enterprize, when mankind appears to have lost the power of recognising and following its natural leaders, we can no longer rely for guidance on the concentrated wisdom of single teachers, or wait for the conclusions of learned men, we must extract what we can from the common sense of all, each in turn must lift up his voice, and perhaps the combination of many notions and many reflections may supply the lacking guidance of sages and of seers. Thus, although less entitled than others around me to speak on the great subject committed to me, I could not shrink from taking a share in a work that requires so many co-operators. Education is a term of wide significance. It includes

not only those processes of teaching which have been applied to infancy and youth ever since children were born into the world, but also all the influences which develope the faculties and inform the mind of man throughout his existence. Books, sermons, newspapers, conversation, the fine arts, business, the joys and sorrows of life, are means of education; but the education which alone we can here discuss with profit is that which is given in schools by school-teachers, and I allude to this distinction at the outset because I have observed the neglect of it by speakers in Parliament and public meetings to lead to perplexity and disappointment.

Education in the limited sense I have mentioned, embracing the laws and methods of mental training, may be viewed as a science, and is cultivated as such in Germany under the name of Pœdagogy; and yet, if we compare it with other sciences of less interest and more remote from general observation, we must be struck by perceiving how little it has received of scientific investigation. Astronomers are found to devote their lives to patient observations of the phenomena of the skies, and to continuous records of the movements of heavenly bodies. Botanists can tell the effect on plants of different climates and different modes of cultivation, and geologists delight to detect the traces of the great convulsions which have moved the strata of the earth, yet no similar diligence or zeal has stimulated educationists to record the successive stages by which the infant mind advances to maturity, or to ascertain by systematic generalization the results on children of different treatment and different modes of tuition, or to trace the bearing on education of successive revolutions in mental philosophy. Interesting and important as are the observation and study of the material world, no one will deny that the study of the mind of man and of the means of developing its power by education, is a still more important and noble pursuit, and that success in ascertaining the fixed principles of this science would confer an inestimable boon on mankind. Our first and greatest want is a collection and generalization of facts, sufficient to form a basis for our deductions and conclusions. Our information respecting particular methods of education seldom embraces their ultimate results, whereas we require to know their effects, not merely within the sphere of the lecture-room, but also in that of the after life for which they assume to be a preparation. Some managers, it is true, have taken pains to trace the career of young people who have left their schools; and statistics are occasionally collected, such as those which the Admiralty can furnish with respect to the boys who enter the navy from the Greenwich Hospital schools. These boys are traced through

the ships in which they serve, and have been found amply to justify by their acquirements and superior conduct the trouble and expense incurred in their education. But such information is rare and exceptional, and even the records of the previous education of prisoners are not available for very safe or general conclusions.

The scientific treatment of education would be aided by more precise appreciation of the value and proper admixture of the various methods of teaching. The methods of individual, of simultaneous, and of mutual, instruction, and the pupil-teacher system, have successively come into use, and it would be important to determine the occasions to which they are severally adapted.

Among other matters on which more settled conclusions must be reached before education can assume the regular proportions of a science, are the right occasions for the employment of the analytic or synthetic methods, the degree in which emulation should be encouraged, the right uses of rewards and punishments, the efficacy of prizes, and the respective advantages of oral and written examinations. Since the last meeting of this Association, when Sir J. Pakington filled the post to which I have unworthily succeeded, that zealous promoter of education has taken a step towards supplying this deficiency, and the Royal Commission will doubtless furnish us with facts on which we can rely, and facilitate the understanding of our educational position. That position is far from satisfactory.

The education of our upper classes is said to be the best in Europe. Its boast is, that it has a large share in producing that character of the educated English gentleman of which we are so proud, and no doubt it is an excellent training of the mental faculties; but try it by this test—How much of what has been learned at schools and universities is found practically useful in after life, and what proportion of men voluntarily continue, when they are free, the studies they submitted to as scholars, or pursue the cultivation of their minds? and it must be admitted that, though comparatively good, this education is absolutely defective.

The education given in the middle class and commercial schools is, generally speaking, as faulty, in comparison with all other education, as it is bad in itself. It has great pretension and show without substance or solidity. There is no superintendence whatever. There is no test of the capacity of the master, and no test of the success of his teaching. The parents are left to judge, after their own uninstructed notions, of the excellence of the school, and generally pay most attention to what is really of the least importance. They are apt to have the highest respect for those schools in which the finest copper-

plate hand is acquired with oval flourishes and pen and ink devices, and in which the boys are pushed on into algebra and trigonometry before they have mastered ordinary arithmetic. Accordingly, when a selection of about 1200 of the best pupils were placed under the Oxford examinations, half failed to pass the preliminary examinations in English and arithmetic. Many of these had made progress in Latin and Greek and mathematics, but they had no accurate knowledge of their mother tongue, and had not even mastered the art of spelling.

In the lower-class schools the irregularity and shortness of attendance hinder the results which would otherwise be obtained from much admirable teaching. The children of the labouring classes see very little of school after the age of ten. Their habits are so migratory, that only thirty-four per cent. are found in the same school for more than two years; and of 2,262,000 children between the ages of three and fifteen who are not at school, 1,800,000 are absent without any necessity or justification. Some learn nothing, and more forget entirely what they have learned. The early impressions fade away, leaving but faint traces upon their minds for want of renewal.

Where is the remedy to be found for this disastrous state of things? the first impulse is to turn to the seat of authority and power, and we are encouraged by observing that in other countries the force of the nation is brought to bear on education. If we cast our eyes across the British Channel we see a complete system of national education, and we find the children habitually remaining at school till twelve or fourteen, the age of first receiving the holy communion. Though even in France, from the want of compulsory attendance, 850,000 children grow up without education. But if we look to the centre of Europe, we see a system extending from the Baltic to the Adriatic, from the source of the Rhine to its mouth, under which all the population receive a schooling of six or eight years; and we naturally ask, why cannot we secure for our lower classes the same advantages that are given elsewhere? The lower classes in those countries are in circumstances not very different from our own. They live in capitals, in manufacturing towns, and in rural districts, and the demands of labour are as urgent as here. It cannot be said of them, as it is of America, that the circumstances of the countries prohibit comparison. Their form of government cannot of itself prevent the comparison, for this national and compulsory system is maintained under various forms of government, under the democratic republics of Switzerland, as well as under the constitutional governments of Baden and Wurtemburg, under the bureaucracy of Prussia and the despotism of Austria.

England is the only civilized country that has no national system of education, but we may recollect this is not the only point in which it differs from the Continental States. It has no conscription, no passports, no minister of police. Personal liberty and the license of individual action are more indulged, and are less subordinated to the common weal than elsewhere. It may be worth our while to consider how this difference between our country and others has led to the different treatment of popular education.

Scarcely any parent can discharge the duty of properly educating his children without the aid of others; and the working classes, from want of leisure and of means, are everywhere unable to take a managing part in the education of their offspring or to defray the whole of the expense. They must have help, and there are three quarters from whence it is supplied, the State, the Church, and individuals. On the Continent the State originates the schools, using the Church and individuals as auxiliaries. In England the initiatory part is taken by individuals, and the Church and the State are the auxiliaries.

When the Reformation in Germany appealed to the private judgment of all, the extension of popular education became an urgent necessity, and Martin Luther invoked with his forcible eloquence the intervention of governments to order the opening of schools, and to compel the children to attend them. His favourite argument was, if, in time of war, the State must compel its young men to bear arms, and to be trained in warlike exercises for the defence of their country, how much more just and necessary it is that in the war between good and evil, which never ceases, the State should compel its youngest citizens to undergo training in knowledge and moral habits, in order that she may possess a virtuous and intelligent people! This view prevailed, and it is now as much the business of a German government to regulate the education of its subjects as to regulate the enrolment of the militia or the organization of the police.

Education being, then, one of the functions of the government, it is enforced with the universality, completeness, and rigour which are the attributes of legislation and administration.

The code of Prussia declares that the schools of the country are national establishments. The time tables receive the sanction of the Minister of Instruction, and minute regulations are issued as to the details of school management. The law enjoins the parishes to provide out of local rates the requisite number of schools, and in order to secure the competency of the schoolmasters and mistresses, no one may teach without official licence.

The school registers are compared with the population returns,

and any absentees between the ages of six and fourteen must be accounted for. The parents of defaulters are punished with fine or imprisonment, for it is held that the authorities would become accomplices in the crime of the parent if they tolerated his neglect of affording to his children the opportunities of a good education.

In England, on the other hand, education has never been considered the business of the State; not because its importance, personal and social, is less valued, but because it has been otherwise undertaken. The universities, grammar schools, and the charity schools, were endowed by the bequests and donations of individuals. Religious feeling has been directed to the diffusion of popular education, and the owners of property have readily acknowledged the claims of the children connected with that property by residence or labour. Thus in rural parishes the duty of erecting and maintaining schools has been generally admitted and fulfilled by the landowners; in towns, by the more benevolent and public-spirited of the inhabitants; and in manufacturing districts, by the most enlightened of the masters. In each parish an official person is found in the parochial clergyman, who is expected to assume, as one of his duties, the care and direction of the parish school.

This spontaneous and unregulated mode of providing education being found very partial in its operation, and utterly insufficient for the wants of the people, has been aided by voluntary associations, such as the Christian Knowledge Society, the National, the British and Foreign, and other societies.

When the combined efforts of benevolent individuals and of educational societies were found too feeble for the work, Parliament was at last compelled, though with slow and reluctant steps, to take a part in what elsewhere is primarily a national affair.

The two systems have each some advantages. The State system attains all that mechanism and regulations can achieve. It stretches out a long arm and takes a firm grasp. It orders, and is obeyed, and the policeman caters for the teacher. The whole population is forced to read and write.

The English system—which, however, can hardly be called a system, it has so little of systematic completeness—is strong in moral influence. It is elastic, and adapts itself to every case. Originated by compassion, sympathy, and religious zeal, it receives from those motives an impulse of vitality which cannot be given by official regulations. The management devolves upon those whose tastes and inclinations lead them to take it as a labour of love, instead of upon those who must assume it as an incident of an official position. Its extension

is obtained by appeals to the liberality of contributors, and its means of overcoming the indifference and reluctance of parents and employers of uneducated children, are remonstrances, persuasions, explanations. It forges new links in the chain which binds class to class. The wealthier having thus to occupy themselves about the bringing up of the little urchins who play about their neighbourhood, get an insight and acquire a new interest in the life of the cottage, and the cottagers feel more sympathy for those who come down from the big house to look up their children and provide them with schooling. Its growth is slow but permanent. The morality inculcated is based upon plain straightforward religious teaching, without those attempts at distinguishing between general and particular Christianity which are so perplexing to simple minds, and without the omissions, concealments, and qualifications which become necessary when religion is to be taught, without alluding to any doctrine to which any one can object. It teaches religious truth affirmatively, not controversially, according to the creed with which the school is connected, and it escapes the difficulty which forces the American schools to banish religion from the week days, in the hope, for the most part a vain one, that it will be remembered on Sundays.

It is, however, unnecessary to strike the balance of advantage between the Continental systems and our own; the difference is too fundamental for partial adaptation, and too wide to admit of amalgamation: if, as some are disposed to do, we were to take a cutting from the German tree to graft upon the English stock, we should only be disappointed. The engrafted institution would not assimilate with those with which it had been incorporated. Deprived of the sap of its parent tree, it would bear but scanty fruit, and would tend to check the natural growth of the system it was intended to assist. For instance, if we were to establish local boards, in imitation of Prussia, for defraying the expenses and superintending the management of schools, but without the corresponding power of compelling attendance, we should have in reality done nothing towards bringing in the idle children of careless and selfish parents, while we should have weakened the motives that actuate the promoters of existing schools; and by removing this responsibility from those who have accepted it, we should have dried up the springs of charitable contributions.

No doubt we must have the intervention of the State. Experience and sound reasoning prove that without it we cannot have an educated people. But we had better leave the State in that auxiliary position in which it was placed when our late President, Lord Brougham, brought on its intervention, and

when our present President, Lord J. Russell, passed the Minutes of Council which still regulate its proceedings.

Popular education is doubtless a national concern; it is of consequence to the Sovereign and the nation that all her subjects should be intelligent and moral, and should have the best development and training of their faculties bodily, mental, and spiritual; but popular education is also the concern of individuals, families, congregations, and neighbourhoods; and this latter view has been the one primarily taken and chiefly acted upon, and it is not possible now, even if it were desirable, to reverse this order and to place the chief management of schools in the hands of public functionaries, whether local or metropolitan. No; the foundations have been already laid; not, it is true, with the symmetrical precision or the measured diffusion to be wished, but still broadly and deeply, over the face of the land. Let us not, then, waste our strength in conflicts with those who laid them, or in digging up what has been cemented; but let us rather strive to join hand in hand all who will co-operate in the blessed work of rearing upon those foundations the best and noblest edifice they are capable of sustaining.

If, then, Acts of Parliament are not to be relied upon, the diffusion of correct views about the direction of individual efforts becomes the more necessary, and a right estimate of what are the chief hindrances and what the best means of overcoming them.

Are school-rooms the chief want? They are wanted in many places, but in the aggregate they supply a third more accommodation than is used. In 5348 schools inspected last year, with an average attendance of 626,000, there was accommodation, at a moderate computation, for 954,000; and the number is increasing steadily. The returns of the Privy Council alone show that above 570 school-rooms are annually built or enlarged, at a total expenditure of 300,000*l.*

Among the causes to which the absence of 1,800,000 children from school are attributable, that to which the greatest prominence is given is the indifference of parents. This indifference, I think, arises not so much from a disregard of the welfare of their children, as from a doubt whether school teaching will be of practical use in the daily struggle of life; whether it will make them more apt for their work, more skilful and persevering in its execution. They would be more disposed to incur the sacrifices of giving up their children's time to schooling if they were convinced it would produce tangible results and lead to higher wages and greater comforts. This view proceeds no doubt mainly from their own want of education, which prevents them from appreciating the value of knowledge, and of the early formation of

character. But at the same time it would be wrong not to admit that this incredulity about the practical results of education is justified in some instances by inefficient teaching; and I think it should be met by care in the selection of such subjects of instruction as the parents can best appreciate. Almost any subject may be used as the vehicle of mental training, provided it be taught systematically and by a good method. The power of reading fluently and of understanding what is read, may be acquired out of a book of elementary science as well as out of a British classic; and when the parents see that the information acquired at school has a bearing upon their ordinary occupations, and will explain what is going on around them, they are much more disposed to value it than when it is something beyond their cognizance.

The best education is that which trains the faculties in the direction in which they are to be used, and prepares the child for the after life it is to lead; and as the time allotted for the schooling of the working classes is so short, special care should be taken to direct the perceptive and reasoning faculties towards objects which may have an increased interest for the adult. Thus, for instance, in agricultural districts, a prominent place may be given to lessons in botany, to the character of soils, and the habits of domestic animals; in a manufacturing district, to the elements of mechanics; in seaports, to geography, the phenomena of the sea, and to astronomy. Investigations of familiar objects begun in school, are more likely to be continued than studies tending in a more abstract or remote direction. Lads who are preparing for a life of intellectual occupation, whose work will be with the brain, not with the hand, must devote much time to language and the use of words, which are the implements of thought as well as the weapons of influence; and they cannot lay too widely the foundation on which they will be building for the rest of their lives. But lads whose destination is handicraft, who will have only the short evenings of toilsome days for self-education, should lay their foundation with special reference to what it is wanted to bear. To them the best use of words is of less importance than the best use of things, and an understanding of the physical laws of nature, with which they have to co-operate, more useful than a mere entrance to such flowery paths of literature, as they may not be able to pursue. History is a most important branch of knowledge, and I wish that the humblest of our people could be versed in the exploits of our ancestors, and the glories of our nation. But if time only suffices for history condensed into a catalogue of names and dates, and the lessons cease, as is often the case, when they

have only become familiar with the crimes and barbarous practices of the Saxon kings, that time could be turned to better account. Political economy, for instance, though it sounds difficult, is really an interesting subject for lessons, because it deals with the topics of ordinary life. What the children learn about the conditions of remunerative labour, the rise and fall of prices, the relative value of commodities, will be remembered at home where such things are discussed, and will lead to subsequent useful reflection. Practical lessons in frugality may be given even in school, as for instance by penny banks. It is a remarkable fact, that the money deposited in penny savings' banks last year by sixty of the London Ragged Schools amounted to 2000*l.* See what lessons of forethought, prudence, and self-control must have been learned before these wild and wandering children could accumulate their half-pence for future use, instead of spending them on momentary gratification!

For a considerable part of the absentees the warrant of the magistrate conveying them to a certified industrial school, or the sentence of the judge to a reformatory, are I fear the only effectual provision, though many may be intercepted and reclaimed by Ragged Schools, of which the adaptation to the peculiarities of the neglected and the castaway has now been recognised by their formal admission to a share in the grants of the Privy Council.

The chief cause of absence from school is the early commencement of labour, and I am not sanguine enough to expect that this hindrance will ever be removed. The child, as well as the parent and the employer, is anxious that he should assume, as early as possible, the independent position of an earner of bread; and no doubt the early acquisition of habits of industry and of special aptitude, has tended to make the English workman what he is, the best workman in the world. But if study cannot be substituted for work, it may be combined with it. The combination of head-work with hand-work is favourable to both, as is proved by the factory and the industrial schools. This may be obtained wherever children are working in numbers, under circumstances that call for the intervention of the law, as in the instance of children between ten and fourteen in mines, who might easily have secured to them the same amount of instruction as those in print-works—namely 150 hours in the half-year.

If the education of children cannot be protracted, it may be commenced earlier, by the improvement of infant schools; and though I feel there is in theory a forcible objection to infant schools, on account of their removal from the mother's care, yet in practice, mothers who are busy with household

work, are utterly unable to give their infants that training they require, or to prepare them for the regular school; and I am sure that infant schools are a necessity of our present position. Primary schools being provided for the general acquisition of elementary knowledge, the next point to be secured is secondary education for as many as have a desire for improvement, and energy to strive for its attainment. It is to this secondary and adult education that attention should now chiefly be directed. A successful night school is not easy to conduct, but there are now 54,000 persons attending evening schools in connexion with the National Society alone, double the number that were recorded in 1847. This I believe to be the field in which the largest harvest can be gathered, and happily the labourers are not few. Occasional lectures have their use, but what is necessary is systematic and continuous teaching. The Hants and Wilts societies have set a good example, and have shown how an interest in self-improvement may be diffused in country towns.

Mechanics' institutes as first organized, did not become places of education. Casual lectures and desultory reading are excellent recreation, and discussions agreeably stimulate the mind; but the addition of evening classes is requisite for any sound and progressive education. This county furnishes the best instance of the required organization of evening classes; and the proceedings of the East Lancashire Union of Mechanics' Institutes, under the able and zealous presidency of Sir J. Kay Shuttleworth, should be studied by all who are interested in this branch of the subject.

The examinations of the Society of Arts have been attended this year by upwards of 1000 candidates, and a fact was brought out in these examinations well worth notice. The candidates who had been a short time in school were more successful than those whose period of schooling had been longer. One portion of those who obtained first-class certificates were found to have attended primary schools for periods averaging three years and a half, and the remaining portion for seven years and a half. Those who had had the least schooling beat the others in the ratio of more than two to one; and this may be taken as an indication that their proficiency was attributable to their secondary and not to their primary education.

Sixty schools of art are imparting a knowledge of form and colour, and are giving a new interest and a fresh power to those who are engaged in ornamental industry, and are raising the standard of national taste.

The middle-class schools have sprung into a new arena. They have done wisely to turn to the ancient universities, which are proving that, though ancient, they are not antiquated, and

though refined, not too fastidious to lend a guiding hand to the business classes. I trust they will spare more time for instruction in the English language. It is curious to observe how slow all our schools have been in attending to that which ought to be the characteristic of educated men, correct grammar and orthography, and a perspicuous style. Why should not Milton, Shakespeare, and Jeremy Taylor be studied in schools, as well as the great writers of ancient times. When I was a boy I passed through Eton without my attention being called in the slightest degree to a line of any English book; but now I am happy to see that professorships of English are being established in many educational institutions, and I know that at King's College in London the Professor of English Literature has been struck by the remarkable powers of writing that have been developed among his pupils by the study of composition and style. My time will not suffice to touch upon the higher education, and indeed I doubt whether that branch of the subject could be usefully dealt with by this Association.

I have endeavoured to take a rapid survey of the more critical points of our educational position, and to point to our progress in reclaiming our land from that tide of ignorance and demoralization which still overflows the lower levels. I see much to encourage those who are thus engaged, and much to induce others to join. We are led by many of the greatest minds, by many of the purest hearts. Duty can point to no higher path, to no nobler task. We teach the knowledge how to live and how to die. Our object is to enlarge the mind, to mature the judgment, to promote reasoning and forethought, to enforce self-control, to discipline the will, and to raise men from crawling upon the earth to the joyous perception of the atmosphere of moral and material beauty around them. We wish to bring all to the enjoyment of the vast inheritance of thought and feeling which has been handed down in books for all mankind, and to counteract the allurements of sensual and degrading pleasures by the superior attractions of imagination and knowledge.

The impediment of which we hear most is the religious difficulty. This is a knot which certainly stops the way to such a State system as would involve the establishment out of local rates of comprehensive schools for all. This knot has not yet been untied. I believe it can only be cut, cut by the sword of secularism, cut by removing religion altogether from the schools. But religious teaching is no difficulty in the existing system. Various denominations meet in a voluntary or an endowed school on terms which would not be submitted to in a ratepayers' school. Religious teaching forms the strength of the

present plan. It supplies the mainspring, and it defines the circumference. It extends the organization and force of the Church and the congregation to education, and adds a congregational to its individual and national aspect.

In a national point of view, improved education is absolutely necessary: there is no security for our country, for its institutions, its prosperity, its greatness, or its safety, except in the good sense of its people. This quality of good sense is happily not wanting; but, like other gifts from on high, it requires to be cultivated: and as we are the freest people under the sun, the freest in thought, word, and deed, and as we have the reputation of being the most practical and persevering people, we are bound, I conceive, not to rest satisfied until we are also the best-educated nation of Europe.

Address

BY THE

RIGHT HON. THE EARL OF CARLISLE, K.G.,

ON THE

PUNISHMENT AND REFORMATION OF CRIMINALS.

AS I did not invite myself into the place which I have now the high honour to fill, and which confers upon me at once the privilege and the duty of presiding over the councils of the Punishment and Reformation Department at the present meeting of the Association, I will not enlarge upon the inadequacy of my pretensions to such a distinction. This responsibility must wholly rest with those from whom the invitation originally proceeded. It appears to me that I shall best enter into the spirit of the functions which thus devolve upon me, if, in now offering some remarks of my own, I entirely forbear from meddling either with the history or the philosophy of the reformatory movement or system. The history has become matter of general notoriety; and several of those who are now here have been among its most prominent actors. As to the philosophy, I do not doubt that this also will meet with very admirable exponents during our approaching session, attended, as I perceive it to be, by many reformatory worthies, with Mr. Adderley to head them —one who has practically and legitimately taken the lead on the subject; it may, at all events, suffice that I feel myself unequal to such high argument, and I think that it will be a more acceptable, as I am sure it will be a politic course for me to confine myself, as much as I am able, to such points connected with this all-important subject as happen to have in some measure fallen under my own personal experience and observation. It has so occurred that I have been brought into some contact with reformatory processes, as applied both to adult and juvenile criminals; to the adult, during the period of my holding the office of Lord-Lieutenant of Ireland; to the juvenile, at my own Yorkshire home. I begin, as would seem more decorous, with the Viceregal experience. My task, however, upon this head is materially lightened, and might indeed

have been almost wholly superseded, by the very full and very able statement which was delivered at the last meeting of the Association by Mr. Hill, the learned Recorder of Birmingham, who is justly esteemed a foremost authority upon the whole subject of prison discipline. It appears that Mr. Hill, thus pre-eminently adapted to the office by his talents, his experience, his zeal, and his benevolence, had been induced by what had reached him respecting the system pursued in the Irish convict prisons, to inspect minutely the different establishments in that country, and to test the soundness of the principles adopted by what he could ascertain of their actual operation. It was inexpressibly gratifying to the friends and well-wishers, but above all to the founders and originators of this system, to find that a man like Mr. Hill should have thought himself warranted to declare, as the result of his investigations, that the board of directors of Irish convict prisons had practically solved the problem which had so long perplexed our Government and our legislature—'What shall we do with our convicts?' To such a verdict I can have little indeed to add beyond the slight supplement which the intervening period may furnish, and the small gleanings derived from my own personal opportunities of approach. The opening of my recent term of administration in Ireland was nearly contemporary with the first experiments in the system of convict discipline, which has excited so much attention in that country. Whatever may be the merits of that system in the main features of its conception, and whatever the success obtained in its practical working, the credit, as the responsibility, must principally rest with the chairman of the board of directors, Capt. Crofton. He has been largely aided by the practised experience and intelligent zeal successively of Capt. Knight and Capt. Whitty, and throughout by the benevolent ardour of Mr. Lentaigne; he has been perseveringly seconded, as I know he will be most ready to admit, by the different members of the Irish Executive, and by the singular exertions and adaptability of some of his officers and agents. No one, however, who has watched the progress of the proceedings, will fail to acknowledge the pervading influence and inspiration which have been derived and caught from the perseverance, the enthusiasm, the determination to succeed, the disbelief in the possibility of failure, which have distinguished the administrator in chief: and looking back, as I now can do, to the series of our conferences and expeditions in connexion with this object, as among the most gratifying recollections of my official career, I feel most happy in having this opportunity of publicly recording my admiration, my regard, and my gratitude. It can hardly be a secret to those who have taken an

interest in matters relating to prison discipline, that statements of rather a controversial character have recently been put forward by Col. Jebb and Capt. Crofton, upon the respective merits and tendencies of the English and Irish systems. Speaking upon general grounds, and under the influence of old official associations, I should have been naturally inclined to deprecate any disposition to bureaucratic pugnacity, a cross-firing between departments; but upon a field of inquiry so wide, so important, so imperfectly defined, as this whole new philosophy of prison or reformatory discipline, forced too upon our attention, in part by our growing population, in part by our stationary insular limits, in part by our colonial and geographical relations, and most of all probably by the increased spirit of conscientious and reasoning benevolence which happily distinguishes our age, I think it is a ground for satisfaction, that there should be such a thorough sifting of opinions, and even if requisite such a collision of authorities, as to leave the least risk of prepossession, partiality, or mistake, and the best chance of ascertaining and adopting truth. Col. Jebb comes into these honourable lists, recommended by a long series of active and meritorious exertions; Capt. Crofton, flushed with the achievement of a recent and brilliant success. Assuming indeed for the moment that the Irish experiment has been entirely satisfactory, I have always felt that the persons entrusted with the responsibilities of English or Scotch administration must decide upon the moment or extent for similar experiments in England and Scotland. It is certainly not impossible that there may be circumstances in the condition of these countries, or even in the national character, which would not ensure corresponding results from the same methods. My own means of observation have been almost wholly confined to Ireland, and it remains for me to state, as succinctly as I can, the impression left upon my own mind. Mr. Hill, in the able paper already referred to, has sufficiently explained the successive stages or gradations of imprisonment now subsisting in that country, and which constitute a sort of criminal or convict hierarchy, beginning with Mountjoy Prison, in Dublin, for the early periods of every sentence, and for the further detention of the wholly unpromising, and unelastic classes: thence passing to Spike Island for the able-bodied, to Philip's Town for those better adapted to handicraft, both being appropriated to associated labour and cellular dormitories; ascending from Spike Island to Camden Fort, at the entrance of Cork Harbour, where a greater degree of reliance on good behaviour is exhibited, as, for instance, in allowing some of the men to form the crews of boats despatched about the harbour upon the business of constructing the forti-

fications; and finally, culminating in Smithfield Prison, in Dublin, or on the commons of Lusk, intended to form the intermediate stations and transitional periods before emerging into the outer world and entire freedom. Smithfield and Lusk, in fact, constitute the distinguishing novelties of the Irish system, and it is with Smithfield mainly that the neighbourhood of my own residence naturally brought me into the most frequent contact. As I know that too great reliance ought not to be placed upon the mere outward demeanour of prisoners, on any superficial symptoms that may attract the eye, it may be well just to recapitulate, in passing, the dry actual results which it has as yet been possible to obtain of the working of the system since its very recent origin. It appears, then, that from the month of January, 1856, up to the latest date to which accounts have been made up, the number of the discharged from the intermediate prisons is 1327, of whom 511 were discharged unconditionally, and 816 on tickets of licence. Of the 511 unconditionally discharged, only five have been re-committed to convict prisons. Of the 816 discharged on licence, 45 have had their licences revoked, out of whom 15 were so dealt with for keeping bad company, drunkenness, or failing to report themselves; the re-convictions amounted to 30, which is under four per cent. The majority of these last 816 cases have been made the subject of special reports from the police charged with the supervision of prisoners discharged on licence, and therefore, so far, the whole truth is known concerning them. Capt. Crofton augurs most favourably of the effects of this system of police supervision, as it has been tested in Ireland in the cases of prisoners discharged on licence, and would evidently wish to apply it, in great measure, equally to those discharged unconditionally. On the first blush, our prepossession might naturally be rather against such a proposition, as militating against the freedom of the subject then under no sentence of law. However, I think that society is clearly entitled to give the full benefit of its scruples on the side of its honest members against those who, by the ascertained commission of crime, have rendered themselves legitimate objects of suspicion; and Capt. Crofton insists very powerfully that this supervision, when rationally and discreetly exercised, has, within his own experience, proved to be, and in the nature of things is calculated to be, of real service to the well-disposed convict himself, as both coming between him and temptation, and as affording confidence to those who might be disposed to give him employment. Of the palpable repugnance of the ill-disposed convict, I think we are bound to take little heed. On this head I will quote a passage from his recent notes in answer to Col. Jebb:—

'When I further add, that from fifty to sixty discharged convicts are under constant notice in the city of Dublin, and that amongst them are those whose evil and daring deeds have formerly made them but too notorious to the police; that many of these have for upwards of two years been in daily work; that I am in the habit of constantly and regularly communicating with the police, for the purpose of checking and correcting any report I may receive—it will, I think, be evident how much the intermediate system and its training have accomplished, not alone, but in conjunction with the firm, judicious, and not inquisitorial use of the police.' The proportion of criminals reckoned capable of profiting by admission to the intermediate prisons is still considered, by Capt. Crofton, to amount to about 75 per cent. of the whole. The improvement adverted to by Mr. Hill, in the bodily health of the prisoners, as having decreased in two years, from a mortality of eight per cent. in 1854, to one of two per cent. in 1856, still happily subsists, or rather advances. The last annual report of the directors for 1857 states that the mortality has been 45 deaths in 2442 prisoners, averaging 1·8 per cent. on the entire prison population. Feeling, then, a right to be thus encouraged and corroborated by actual results and by dry figures, I may the more safely seek to convey the impressions derived from ocular observation. I never made a visit to Smithfield during the hours allotted to the evening schooling and lecture without being most pleasantly impressed by the propriety and alertness of demeanour, and by the general absence of all sulkiness or sullenness of either countenance or manner, which distinguished the prisoners. I may here perhaps mention that, although I stood among them on these occasions with the full power of giving immediate pardon and freedom to any or all of them, and although occasionally anything particularly striking in the bearing or expressions of some among them might have tempted me to an exercise of partiality in their behalf, I never once allowed myself to interfere with any sentence except in the regular routine, upon the recommendation of the responsible authorities. I almost feel compunction at having proceeded so far without having made mention of the lecturer at the Smithfield and Lusk Reformatories, Mr. Organ. I am quite confident that he is one of that privileged number who will have left a mark on their age, not perhaps in the ordinary records of fame or precedence, but in the extent and amount of the quiet, unnoticed good he has accomplished, and the wholesome and healing influences he has wrought upon the dispositions and destinies of his fellow-creatures. Accustomed from his first youth to pursue the occupation of a teacher among the humblest

and the poorest, he has now given his whole heart to the work of instructing and reclaiming the criminal; and, in addition to the higher qualifications of benevolence and zeal for such an office, he possesses, I believe I should say beyond any person I have ever met with, the faculty of interesting the attention and of making the subject clear to the most obtuse apprehensions. I am quite willing to believe that the system now adopted in Ireland rests upon principles so sound and so true to human experience as to make it in a great degree independent of individual qualities, provided that it be steadily upheld; but I think it would be singularly ungrateful not to admit that for its early and rapid success it was largely indebted to the capacity of Mr. Organ to make powerful impressions upon the minds, sometimes sluggish and sullen, sometimes quick and impulsive, with which he was brought into contact, as well as the wholly voluntary and disinterested tenacity with which he clung to the discharged prisoner in his subsequent career, diminishing its risks and shielding him from its temptations. With respect to the general conduct of the prisoners, it is pleasing to find this testimony given by the superintendent of Smithfield, Mr. Good, who had been master of works in the same prison for ten years under the old system, and whom I know to be a very deserving public servant. He says: 'With reference to the conduct of the prisoners, it is gratifying to find that the best feeling exists among them; and, since the introduction of the licence system, only five slight breaches of discipline occurred. Most remarkable is the contrast between the men now placed in this establishment, and those who were confined here when this was an ordinary convict prison. Now they evince a kind, obliging disposition, and a docile spirit; they take advice in good part; they go to work with alacrity; are ready to volunteer their assistance wherever they think it may be required; they seem to have got a new spring of mind, and constantly talk over and ask advice with respect to their future prospects and destinations. Nearly three times the amount of work is obtained as heretofore from the same number of prisoners.' I have referred to the hold which Mr. Organ endeavours to establish upon the after-careers of discharged prisoners. The law provided a map of the county of Dublin, upon which are marked the various stations where they are employed, or where there is a likelihood of employment being procured for them. He visits these stations frequently, either for the purpose of inquiring into the conduct and position of the men, or of securing fresh employment. Of sixty discharged prisoners now in the city of Dublin, not one has been out of employment for more than a few days except from failure of

health. In many cases, as might have been anticipated, the labour has been of a description not much sought after by those whose previous lives entitle them justly to greater latitude of choice, such as vitriol-works and the like. This, however, speaks volumes for those who prefer even such labour to dishonesty and a recurrence of crime; it speaks surely not a little for the system which has thus trained and reclaimed them. As a mark of the influence Mr. Organ has been enabled to obtain over the men, even after the period of confinement is over, he has generally induced them to place 1*l.* or 2*l.* in the hands of their employers as a security, not so much for their honesty as for their regularity and continuance at work; and in case of the man having no earnings or next to none to his credit, then to consent to a corresponding stoppage for a certain time from his wages. With the men who are further removed Mr. Organ endeavours to keep up frequent correspondence. I may very briefly mention one or two of their statements. One man tells him: 'I must let you know that I am what you will like to hear, and that is a non-commissioned officer. I am full corporal, and very soon to be platoon-serjeant. I hope you will tell all the men in Smithfield to do as Mr. Organ will tell them.' Another tells him: 'I am earning from 14*s.* to 16*s.* a week.' Another whom he mentions 'is also doing well, and turns out very well dressed, and earns plenty of money in the coal-pit: he is earning from 3*s.* 6*d.* to 4*s.* a day, and wishes you long life and good health.' Another asks for some of his gratuity-money that he may get a kit. Another is going out to Corfu. The parish priest writes of one: 'I am glad to be able to make a favourable report of him. He is well conducted and industrious, and has even purchased a boat, in which he works himself at present.' A housebreaker writes: 'Words cannot express the gratitude I felt when I received your kind letter with the favourable lines contained in it. I sincerely hope I shall never belie the character you were pleased to entertain of me. I have been working at hay this short time back.' The hay reminds me that I perceived on one occasion a discharged prisoner forming one of a gang of haymakers on my own grounds in the Phœnix Park. He was pointed out to me by the contractor for the job, who gave a good account of him, but I distinctly saw, on my approaching him, that he did not wish for much conversation; he felt very anxious that his antecedents should not be known to his fellow-workmen, and for my own part I felt quite resigned, all Viceroy as I was at the moment, to be cut by a convict. I will only cite one more comment which, among other things, shows that the supervision of the police is not necessarily considered irksome by the

discharged prisoners themselves. This is from a man convicted of larceny, it being his seventh conviction: 'I am living with my father ever since, and I am going on very well. The constabulary are doing everything in their power for my welfare. Your lectures and advice are as fresh in my mind as when I sat there listening to your fatherly expressions, and I will always think of the advice you gave before we left you. No matter who returns you ingratitude after all your trouble, you will always find me grateful, because you acted a father to every one as well as to me. I conclude for the present, thanking God and you for my deliverance from bondage; and may the Almighty reward you and every benevolent man who in the course of time will be an aid in the works of mercy.'

My remarks have hitherto been chiefly applied to male prisoners. The treatment of female prisoners will probably be rendered more systematic when the large metropolitan prison at Mountjoy, specially intended for them, shall have been completed. It can never become so easy in their case to apply the same number of progressive stages which public works out of doors make available for the men; but the system of drafting off the best behaved and most promising female prisoners into refuges has been tried with the happiest results. The Government have been fortunate enough to find establishments where this pious office has been voluntarily undertaken, both in the Protestant and Roman Catholic communities of Dublin. Of the Protestant establishment, beyond rendering a just tribute to the conscientious care with which it appears to be managed, I need say but little, for a reason which certainly ought not to give any umbrage to that community—I mean the very small number of prisoners who have hitherto belonged to that persuasion. The care of the Roman Catholic prisoners of this class has been undertaken by the ladies of the Sisterhood of Mercy at Galder Bridge. Feeble and wholly inadequate, indeed, would be any words of mine to do justice to the unremitting self-devotion and cheerful alacrity with which the manager of the refuge, herself well-born and refined (I ought, I suppose, to confine myself to her assumed name of Sister Mary Magdalen), with her coadjutors, discharges this labour of great love. To prove that I am not using the language of mere compliment and idle sentiment, I may present the following results, which, I believe, have never yet been given in so complete a form, at least from the first opening of the St. Vincent's Reformatory, in April, 1856, down to the present month:—152 have been received; 67 are at present there; 85 have been disposed of—you will remember that these were women, for the most part, reared and steeped in crime, and from general experience, if discharged in ordinary course, would have

given no hope of reformation; 21 have been sent to situations in Ireland, and are all ascertained to be doing well; 26 are in the colonies; 24 have returned to their homes; 16 were married and are now living respectably; 8 were received by their parents; 5 have been received into an asylum; 3 have been married in Ireland, and are well reported of; 6 have been sent back to prison. So that, out of the whole 85, there are only 6 to whom subsequent misconduct can be traced.

I should be inclined, then, to sum up somewhat thus the principles which pervade the system of convict discipline in Ireland, and which form the groundwork of whatever success it has obtained:—At the outset, the strictest form of penal discipline, the least amount of communication, except with the few privileged persons, and the lowest scale of diet consistent with health; subsequent progressive stages of employment and treatment, giving scope to hope, stimulus to exertion, and room for the display of meritorious habits and trustworthy qualities; finally, at the last stage (intended to form the transition to freedom), actual tests of obedience and honesty, and what I certainly should be disposed to put the chief stress upon, the surrounding of their prisoners, by the choice agents adapted and qualified for the purpose, with an atmosphere of sympathy, encouragement, and beneficent influences; the power of individualizing them, and bringing the battery of advice and persuasion to bear upon their special cases; the causing them to feel that there are those in the world who care for them, and will watch their course and glory in their good conduct. The proper agents for such a ministry of reformation may be difficult to find, but I am confident they are to be found; indeed I may say in Ireland they turned up for us ready for use as soon as they were wanted. To give proper verge for such a system to work, sentence of imprisonment ought to be of adequate length; I believe that the discretion of remitting the later periods of actual imprisonment, upon the condition of strict supervision and liability to re-imprisonment, might be advantageously extended. From all I can hear of the results of the experiment in Ireland, the supervision of discharged convicts by the police works extremely well, both as a guarantee to the public and a protection and preventive to the late criminal. The mode in which this whole difficult and momentous subject has been dealt with in Ireland, has, for the second time, been brought under the notice of the National Association. It has been made the subject of distinct inquiry from foreign governments; and I sincerely trust that its benefits will, before any long lapse of time, be extended to other communities and *over wider fields.*

I now turn to the subject of the reformatories established for young criminals in England. The establishments in Scotland, to a great extent, have more the character of ragged or industrial training schools, but about these I have no details to give. The act authorizing institutions in Ireland, corresponding closely with those now existing in England, was only passed in the late session of Parliament. The *First Report of the Inspector of Reformatory Schools in Great Britain* has recently been issued; and it is of happy omen for these institutions that they are placed under an overlooker who brings to the work so much congenial experience and so much genuine benevolence as Mr. Sydney Turner. We learn from his *Report* that forty English certified reformatories have come under his inspection, and he gives a brief but interesting and suggestive summary of their respective conditions. I have the less need, however, to dwell upon the contents, as they are probably in all your hands, and especially in Liverpool, where Mr. Turner states that the Reformatory Act has been more extensively applied than in any other place. I have as yet only had the opportunity of seeing four reformatories, and three of these only very cursorily: these three are Calder Farm, near Mirfield, established by the thoughtful benevolence of Mr. Wheatley Balme, most happily situated in a meaded range of hills, overlooking the valley of the winding Calder, and happier in the more important elements of kindly and efficient management: next, one still in its infancy, at Adel, near Leeds, where the lads are still employed in the rougher parts of the building work, and in reclaiming a piece of stony moorland, with an obvious will and vigour, which promises as well for their health as it speaks well for the wholesome moral influence of the master set over them: another, at Market Weighton, is appropriated to Roman Catholics; it now contains 85 boys, and ultimately will have accommodation for 200; it is built with more attention to architectural effect than any establishment of the kind I have yet seen, and is managed by a staff belonging to one of the confraternities of the Roman Catholic Church, apparently with a devotedness which so often distinguishes these bodies. The remaining school to which I have referred is nestled among my own meads at Castle Howard, and I can say with truth that I regard it as one of the chief attractions of a place not deficient in its adornments. The main cause of the success which the institution has hitherto obtained, for it must be remembered that, with respect to all of them, we are as yet speaking by the light of very early experience, as well as of its special attraction for myself, is undoubtedly to be found in the character and qualities of the superintendent chaplain,

Mr. Fish. I have already borne my testimony to the merits of Mr. Organ, and I should wish to dwell for a moment on those which exhibit a large amount both of correspondence and of contrast with them. I feel the less hesitation to indulge in this line of remark, from my thorough conviction that the speedy success of all reformatory influences, whether upon the adult or youthful criminal, must, under the Divine blessing, be mainly dependent upon the men who are employed as its conductors and agents. The same single-minded devotedness to duty, the same straightforward simplicity of character, the same tenderness of sympathy for the working classes, amongst whom they have both spent their young years of toil, distinguish alike the Church of England chaplain and the Irish Roman Catholic teacher. But the appearance and the disposition of the Englishman have that mild, mellow, pensive character which would seem to have retained something of the sadness which familiarity with scenes of suffering and contact with rude and bitter tempers might naturally have imparted; while the moods of the Irishman are so impulsive and racy of his own soil, of its quick-witted humour and gleaming pathos, as to make one of his common grammar lessons as entertaining as any play. I think it not unimportant to show that minds of various texture may be drawn into this service of mercy, provided there be the indispensable ingredients of earnestness and discretion. Whether there be good reason or not for indulging in the hope of a large amount of adult reformation, there is every ground for expecting palpable and extensive results in the matter of juvenile reformation. I believe it will be found that all those who have most considered the subject, as well as have been most engaged in its practical operations, entertain the conviction that, in by far the greatest number of cases of youthful crime, the training of the children has been such as to give a criminal direction to their habits, and they have thus become what their parents or their circumstances have made them. The distinguished President of the first provincial meeting of the National Reformatory Union, held at Bristol, in 1856, (Lord Stanley), put the case of one hundred criminal children thus:—

Born of dishonest parents	60
„ profligate	30
„ honest and industrious	10

The Castle Howard Reformatory statistics nearly confirm these proportions. Sixty-four have passed through the school, and are now inmates. Of these there are:—

Born of dishonest parents	30
„ profligate	22
„ honest and industrious	12

I will adduce one local illustration, which, I think, throws considerable light upon more than one branch of reformatory inquiry. It shall be that of the very first they committed to the Castle Howard School. He had been a worker in a cotton mill, the foreman of which apparently discovered special aptitudes in him extending beyond his work, so he kept him when the other hands were dismissed, and taught him to pick pockets. For two years our boy Tom regularly picked pockets on the pier of Hull, and at the High Church, giving the proceeds to his instructor. In return he was comfortably lodged and fed, and often taken to the theatre. He remembers instances of robbery from the person, the aggregate proceeds of which exceeded 200*l.*, all of which were perpetrated before he was convicted at all. When once he had been caught, convictions followed in rapid succession, until they had reached seven, at which point the Castle Howard School was opened in his person. After the treatment of two years, partly there, and partly at Calder farm, he is now pursuing an industrious and honest career. From this short narrative I would deduce the following points:—The exposure of young children to corrupting influences; the great expensiveness of even the most youthful crime, as evidenced both in the amount of undetected plunder, and the cost of repeated prosecutions and convictions; and, most important of all, the hopefulness of the reformatory process, which I should have felt myself less emboldened by this single instance to lay stress upon, if I had not the authority of the superintendent for stating that the large majority of cases already completed, of which he has been cognizant, have been equally satisfactory. I am aware that many of the farmers in my neighbourhood are not only willing to avail themselves of the labour of the boys while they are still inmates of their school, but are even anxious to take them into permanent service upon their discharge. There have been some very pleasing instances of boys making restitution after their discharge, to persons whom they had previously robbed. The chaplain of the gaol at Hull writes, 'The effects of the reformatory movement on the juvenile criminals of Hull has, I think, been of the most beneficial character; some weeks ago we had not a single boy in gaol.' I believe that similar satisfactory testimony can be given from other districts, but I have deemed it best to confine myself to my own. There are several points connected with reformatory tactics which must be considered, so to term it, as still afloat, and upon which I am willing to hope that our present gathering may be destined to shed light. A prominent one is the amount of reformatory accommodation which ought to be supplied. This, however, for its adequate solution, hinges

upon another, probably the most important and the most difficult of all that await decision: What ought to be the condition of admission? Ought the once convicted, ought the twice convicted, ought, in any case, the wholly unconvicted to be admissible? It certainly appears to me that, with a view both to the due protection of the money, partly at least received from the State, and to the inadequacy of the accommodation as yet provided for the criminal class, it would not be right to allow any admission except of an actual convict. Then, with respect to the once convicted, though I can conceive cases where it might be so desirable to remove a child from evil influences and companionships, as to overcome all other scruples, yet, as it is the duty which the reformatory owes to the State, to operate, preferentially, upon the most hardened and abandoned classes, and as there also may be many cases where a boy or girl may have lapsed or been led into the commission of some isolated fault or act of lawlessness without any such perversity of temper or will as to make them fit associates of the thoroughly depraved; but yet, which some short, sharp punishment would probably be the best method of cure; it seems to me that, at all events, till there is more than sufficient room for the aggravated cases, it would be advisable to make a plurality of convictions the general condition of admission. On this head the chaplain of the gaol at Hull has remarked, in a letter addressed to our superintendent, 'It has always appeared to me unreasonable, as well as unnecessary, to send a boy to a reformatory for a first offence, except in extreme cases where such cunning or depravity is exhibited as indicates a most depraved disposition.' In our own case we manifestly want increased accommodation in any view of the case. It appears from some returns we have obtained from the East Riding House of Correction at Beverley, and from the Hull Borough Gaol, that of boys convicted during the last three years under sixteen years of age, there are—

Convicted once	275
Twice, not included above	58
More than twice	42

Of these 50 have been sent to reformatory schools. The total number convicted more than once is just 100; so that, supposing none to have been sent to reformatories who had not been twice convicted, 50 would still remain at large in the Riding. In like manner Mr. Shepherd, the governor of the Wakefield prison, has recently said that he knew of more than a hundred West Riding cases for which he could not find room in a reformatory. I believe that different opinions are entertained respecting the best sources of supply for the maintenance of the

schools. In some instances local rates have been already resorted to. It is obvious that such a resource cannot be called in without some sacrifice of independence on the part of managers and superintendents. Probably different methods may be suitable to different places; time and experience will develop their own exigencies, and I am not aware that they are yet ripe enough for any further appeal to legislative provisions. I feel that no doubt can be entertained either of the propriety or expediency of the aid of the Government being given to meet voluntary efforts and subscriptions. Whether the withdrawal of the grants hitherto made by the Committee of Privy Council is justified on the ground of the anomaly of two separate streams of supply proceeding from the State, I will not take upon myself to decide; but I think that in any case there has been reason to regret the abruptness of the determination. It behoves the managers and friends of the schools all the more to strain every nerve to make them as independent as they can of all extrinsic aid beyond the still remaining grant from the Home Department. I cordially embrace conclusions at which I believe the collective thought and wisdom which have been exercised on this subject had already arrived, that the relations of the State to the reformatories which have been established should embrace inspection, but exclude interference, except, of course, in case of patent and obvious abuse; and that it would be inexpedient to lay down any rigid or undeviating rule of management, such, for instance, as any exact scheme of rewards and punishments, to what extent corporal punishment should be applied, and the like. The great essential condition is to procure the right men for superintendents or masters; the interior details will best be confided to their discretion, acting upon the materials with which they are called upon to deal. It appears to me next desirable that the powers of levying contributions from the parents of children placed in reformatories should be enforced as extensively as possible. A most important and pregnant subject for consideration is the after disposal of the pupils. Their ever best security against relapse to evil courses and dangerous associations would probably be found in emigration. Could the State be properly called upon to contribute to this end, at all events, in aid of private effort? Boys may in many cases be fit to go out as emigrants before it would be safe to discharge them at home, within reach of old haunts and comrades, so that a more than corresponding saving in the State contribution to their maintenance would be thus effected. Some of the inmates will unhappily continue unfitted either for emigration abroad or for employment at home. I think it well worthy of reflection whether, for the thoroughly incorrigible

and unmanageable, it might not be desirable to have a more exclusive penal-reformatory. I am informed that Mr. Sydney Turner has recommended the employment of the prison at Parkhurst for this purpose. Consideration must, of course, be given to the lawful duration of sentences; but it clearly would be conducive to the general welfare that the periods of detention should be sufficiently long to admit of the full process of reformation, and that as few as possible should be let loose anew on society till it has been thoroughly accomplished.

I may sum up what I have thus imperfectly said on both branches of my subject, by stating that the same principle of treatment appears to me to apply alike both to adult and juvenile reformation, as might have been expected when human nature supplies the material to be worked upon in either case, with whatever modification of degree and circumstance. The almost indispensable condition of success seems to be that the criminals, of whatever age or description, should be brought together in such numbers, and under such arrangements, as admits of their being—to use a term which, I believe, is now understood—individualized; of their being each in their own person the subject upon whom influence, argument, advice, sympathy, are brought to bear; that before they are restored to a world which would naturally look upon them with distrust and suspicion, they should have had the opportunity of submitting to some trustworthy test their altered resolutions and dispositions, and that throughout this whole recuperative process, the machinery upon which, under the blessing from above, we can mainly rely, is one human heart acting upon another human heart.

Address

BY THE

RIGHT HON. THE EARL OF SHAFTESBURY,*

ON PUBLIC HEALTH.

I AM anxious, as a preliminary, to say a few words upon the peculiar subject that we have before us, because I think that it is liable to misrepresentation. It certainly is liable to be misunderstood, and I know there are many persons—probably many in the town of Liverpool, and certainly a great many in different parts of England—who think that this Association, more especially in the particular departments of sanitary arrangements and sanitary provision, is seeking to assume a greater authority than belongs to it; that our object is to promote that to which Englishmen very strongly object, a system of centralization; and that, moreover, we are prepared to assume an attitude, and utter a language that would savour far more of dictation than of the course which we are determined to pursue —that of inquiry, of research, and of the collection of the experience of all the good, all the wise, and all the intelligent men from all parts of the whole community. Now, as for centralization, if we were to centralize our efforts—if we were looking to the constitution of any authority to form a central point, and to direct all the efforts, and undertake to guide the energies of the kingdom upon this matter—we should be utterly destroying the great object we have in view. Unless the whole people take it up as their own especial case, over which they have an especial superintendence, and in which they have an especial interest, the whole of our efforts will be nugatory and vain. Our object is to excite such an interest, to stimulate inquiry, and to unite all the zeal and energy that we can in every district and individual locality, so that each separate locality should be the fountain, the centre, the alpha and the omega, of all the operations that affect that locality. Our object is, that every person, from the highest to the lowest, that every father of a family, that every individual who feels that his

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* His Lordship, before commencing, offered an apology for his omission to prepare a written address.

health is concerned in this matter, shall be a centre in himself; for sanitary arrangements will never be carried into full effect over the length and breadth of this land, till the head of every family, the head of every domestic establishment, be it of the wealthiest, or be it of the working man, is fully convinced that these are principles that are essentially necessary to his domestic comfort, his domestic purity, his physical condition, and his moral strength. Therefore, so far from seeking centralization, we seek only to make it central in so far as it shall be confined to localities, and in so far as it shall be found the dominant, prevalent, and active principle of every household and every domestic assemblage. Then, as for dictation; we do not want here to lay down laws and to declare that such and such results are not to be contradicted, and because they are not to be contradicted they are to be obeyed. Our object is to invite from all quarters the results of experience. Our object is to gather from all who are conversant with this matter, all that they know, all that they can anticipate, all the inferences that they adduce, and to test them by general inquiry, and by submission of them to as many minds as can be brought to bear upon this great aggregate subject. So far from dictation, we feel that we are now only in the infancy of this science, and that this Association will have the very best effect, in begetting a general interest, in bringing out a vast amount of dormant talent, in exciting a great deal of latent energy, in bringing into the field of inquiry and into the field of operation hundreds, and I may say thousands, who, were it not for the means of the Association, would have no beacon to guide their paths, and no central point to which to direct their operations. We wish to beget by these means, to create and to sustain, a true, firm, paramount, and wise, public opinion. Public opinion alone will be sufficient to maintain these things. It is not by law, it is not by individual efforts, it is not by the desultory attempts of a few benevolent people, that these results are to be attained—they are to be attained only by constant and vigorous exercise of a wise, benevolent, and instructed public opinion. Let her preside over this as she does over everything else. I mean an instructed, wise, serious, solemn public opinion, and let her appear dominant in this matter over the 'very least as feeling her care, and over the greatest as not exempt from her power.' Neither do we seek by this Association to introduce any new laws. Our object is to inquire how far law is necessary in any of these matters; and law must be resorted to only in cases of admitted necessity. Let law be introduced and brought into action in every instance where the principle is clear; and no one, I think, will gainsay that law must come in to protect the

people where it is manifestly impossible that they can protect themselves.

Now I will just run hastily over a few things that are of paramount interest—I cannot delay you by doing more—to which your attention ought to be directed, to which I hope it will be, and to which I trust you will, at some ensuing gathering, be able to give us full and satisfactory replies. You will find these great matters, which must be brought under sanitary arrangement, will be divided into two great aspects—the physical and moral—these in detail may be considered apart, but they cannot be so considered apart as not to be frequently, constantly, nay, perpetually, brought into contact. They act and re-act upon one another in a way quite indivisible. See how it acts in this single instance:—A low moral state will bring on intemperance, and with intemperance all that dreadful catalogue of disease and crime that ever follows in the wake of habitual intoxication. But are there no physical causes that bring on moral evils? Is there any one here in the least degree conversant with the state of our alleys, dwellings, and various localities, who will attempt to deny this great undeniable truth, which all experience confirms? for if you go into these frightful places you will see there many fruitful causes of moral mischief, and I believe that seven-tenths of it are attributable to that which is perhaps the greatest curse of the people of this country—that which destroys their physical and moral existence, cuts through their domestic ties, and reduces them to pauperism, with all its various degradation—habits of drinking and systems of intoxication. But very many of those habits of drinking are engendered by foul air and the disgusting and depressing influence of the localities in which the people live, bringing with it a fierce desire for stimulants; by a defective supply of water; by the deleterious and poisonous quality of that water—All combine to drive the people to that immoral course which we are endeavouring to correct by education, by reformatories, by ten thousand appliances—all of them good, all of them necessary; all of them must be brought to bear; but at the root of it lies this great evil to which I have called your attention. Must we not confess our responsibility for such things when we know that men have been frequently forced to prefer unwholesome and adulterated beer to poisonous water, the only water within their reach; nay, more, that they have, oftentimes, been compelled to take a certain quantity of beer at the price of being allowed to draw some water from the only pump in the neighbourhood, and which pump belonged to the publican? And I ask you to agree with me in what I stated just now, that although moral and physical evils may in single detail be considered apart, they must, when

you come to deal with the question, be regarded as in combination, and in combination producing all those frightful evils which, by God's blessing on our efforts, we shall remove—at least to a great degree. I said I would run through a few points which must be considered because they are of vital importance. They will give rise to deep and solemn thinking; and although there is no time to dwell upon them in detail, as I should have wished to do, I cannot refuse to throw them out for your mature consideration, and for your full and co-operative efforts. I should, indeed, have thought that the valuable document which has just been put forth, the statement by Dr. Greenhow, with a preface by Mr. Simon of the Board of Health, would have been quite sufficient, and that no more would have been required to point out and enforce the necessity of such considerations. Still, as we are collected here, I will bring before you some matters partly in that report and partly from other sources, and submit them for your examination. I call upon you to consider the effect produced upon the population, morally and physically, by cholera, by fever, by consumption in all its forms. Remember the thousands crippled and enfeebled by it. The number of deaths arising from disease is no measure whatever of its terrible influence upon the population, and no measure whatever of the evils which descend therefrom upon society. Look at the weekly reports of the Registrar-General. We have now become habituated to horrors of the gravest description. When those reports were first published, for a short time the world was aghast, and every man you met asked if they could be true. These reports go on, however,—they are read, and they are taken as matters of course. They come out and are thrown into the waste-paper basket. They appear in the *Times* and other journals, and nobody asks any question about them. Now it is only on that account the more necessary that an association of this kind should meet from time to time, and impress upon the public at large the deep and lasting evils, the fearful consequences which necessarily flow from the neglect and contempt of the great and beneficent laws of nature. Here is another subject to which your attention ought to be drawn. I give no opinion upon it, but it is a matter which can no longer be overlooked. Why is it that we have before us the portentous fact that no less than 60,000 still-born children are produced in this country every year of our lives? I give no opinion on it; I only say that the matter must be looked into, for the fact is manifest, the fact is awful, and the fact demands your most solemn investigation. Again, I say that, if you have an interest in the rising generation, you should

direct your attention to those hospitals which have lately been established, called Orthopædic hospitals, which are established for the purpose of correcting deformities in children, and by surgical processes of the greatest skill and humanity, restoring them when in tender years, and even when more advanced in life, to happy straightness of form, and to the power of usefulness in their generation. These hospitals reveal an amount of physical degradation and misery, that come upon the world through neglect, sufficient to make any thinking man tremble. Go and look into the records of over-crowded dwellings. Look into the effects of foul air, of ill-drained close alleys, of the pestilential localities which are found to be the greatest sources of all that fills our hospitals with fever, and our workhouses with paupers; and then bear in mind the great fact that I hope will now be examined into—and I believe the more you examine it the greater illustration you will have of it—that crime is now ascertained to be no longer dependent upon poverty or high wages, but that it is invariably found to be most fertile, most abundant, and most constant among recesses of filth and closely peopled houses, and in all places where neglect and overcrowding squalor keep festering together. Well, now, I may say, look also to your common lodging-houses. In many places they still retain all their normal evils. Look upon them as hotbeds of vice—as hotbeds of pestilence, and take care that, in your survey of the different towns, these buildings do not escape your observation. Again, look—for we are all now considering the present and future generation—look to the effect of overtoil of all kinds upon the young and upon the old. I am not going to say that toil is not the portion of the human race, and I am not going to say that a great deal of toil which has been regarded as unwholesome must not also be the portion of many in our complicated state of society. But what I say is this, that when you see these conditions, and regard them as in some respect necessary, direct your attention to ascertain whether the evils of them cannot be mitigated; and although you cannot bring them to that state of perfection which you would desire, you will consider whether you cannot be the means of removing much evil, and introducing a considerable proportion of good. Then, again, look to the total want of water supply—the total want, in many instances, of a wholesome water supply—in the midst of our immense human aggregations. Look, but do not, in consequence, find fault with the wretched people who are the victims of that neglect. If you go amongst them and find them covered with dirt so that you cannot distinguish their nakedness from the miserable rags that cover them—if you find them covered with vermin (and I must say I have gone

amongst them with my friends, and have returned with a considerable household upon my back)—if you go and see these things, do not lay the blame upon them, but lay the blame upon yourselves. You have knowledge, you have the means. They have not the knowledge, they have not the means; and by everything that is true, by everything that is holy, you, you are your brother's keeper. Well, now, again turn your attention to all those deleterious and putrid articles of food—turn your attention to the sale of poisons, and to all those various evil things which take place in the midst of dense populations. Why, I know in places where vigilance is not exercised, you may find food sold to the poor so poisonous in itself, that it is alone sufficient to breed pestilence, to breed diarrhœa and dysentery, and to decimate the population of a district. Can you wonder, then—I have told you all those physical mischiefs—can you be astonished at the moral evils that flow from them? Go amongst people; hear with your own ears and see with your own eyes what I now state—the utter corruption of language, and of thought, and of practice in all those districts. When I state this I am not speaking in condemnation of those people; for I maintain that the circumstances in which they are, are such that these things come upon them almost by inevitable necessity. I will not pass on—I will not dare to speak of many things that cannot be mentioned in any mixed assembly; but you may picture to yourselves what must be the consequences of dwellings packed with living beings—I speak not only of health—but where two, three, or four families are crammed together in a narrow house, or in a room, where the sexes are blended—can you wonder at any amount of sin, can you wonder at any amount of vice, can you wonder at anything occurring, which we cannot mention in this mixed assembly? You cannot wonder; and if you do wonder, go and inquire for yourselves, and your wonder will cease; for there you will find it clear, simple, unmistakeable as any proposition in Euclid. I have already spoken of intoxication and of its degrading issues; but I must say that there is another very serious and important matter: it is also in reference to the business of one of the departments, to be presided over by my Right Honourable friend and relative, Mr. Cowper. I maintain that in this state of things there is an actual impossibility of giving moral education—I maintain that it is positively impossible—I maintain that these classes cannot be taught. You have no means whatever of approaching them; and if, perchance, you succeed in bringing their children for a time to the Ragged Schools and to other institutions, those wretched children go back into those scenes of

vice, of infamy, of bestiality, and in the midst of all they hear, and all they see, they unlearn in one hour all that has been given to them in the preceding week. That is another proof that all these things must be considered together—that each one bears upon the other. Depend upon it your attempts at education will fail: all the best schemes of the training-masters, of those who establish the schools, all private and all public efforts, all the activity of the inspectors, all the cogent reports they make upon them—they will fail altogether so long as you have this horrid plague-spot in the midst of you, advancing nothing but vice and violence, and corruption, and ignorance, and everything that is hateful to God and man. It also assumes a political and social aspect. I am quite convinced that there is a time coming, and that at no great distance, when we really shall be in want of hands for all the industrial, social, and military purposes of the country. I know that many people will say that, looking to the tables of mortality, upon the whole, life is prolonged. That may be so, if taken upon the great average; but I want to know whether the prolongation of that life is the prolongation of a useful and working life, or is it only that life is prolonged; that the disease is not so fatal as to kill, but that it still continues as violent as ever, to cripple, to destroy, and to enervate the energies of the working population? Moreover, I must say that I think it becomes a very serious consideration, politically speaking, that there should be in the country so few who attain a mature age. It is a weighty thing, if you come to consider it, that all the elective powers, that all the powers of Government should be consigned to the younger persons. I think you will all admit that the gravity and the experience of persons of riper years are necessary to keep the whole system in order. It is necessary for the decency, for the regularity, for the self-restraint of society, but more particularly of free institutions such as ours. It gives them permanency and vigour, because it saves them from excesses that re-act upon themselves, and enables us to be in the sight of God and of man a wise and an understanding people. It is somewhat remarkable that, while that thought was in my mind, I received a letter from a friend of mine now travelling in America—a country where sanitary arrangements are more necessary even than they are here, because their large towns are in a great degree of peril from the causes of infectious disease and other evil circumstances, far exceeding even the very worst of ours—and my friend, full of his sanitary notions in his observations, stated to me this fact:—'I have travelled over a considerable part of the Union, and I do not hesitate to say that during the last two months I have not met with a single old

man who was in a hale condition.' And really I must observe that it does concern, in a great measure, the national honour and the national character. How constantly do we have it written by some who are sincere, by others in questionable kindness and sympathy for England, wishing to tell her her faults in all gentleness,—how often is it written in newspapers abroad, and said in speeches in foreign countries, that our poor are in a very sad and shameful condition! I do not deny the sad and shameful condition of many; we could give very satisfactory answers for that condition. But this is really a very strong argument why we should introduce those sanitary arrangements which we know full well will tend to the diminution of pauperism, and present to the eye of Europe and to America a sound, a progressive, and a hale population. The circumstances of this country are such that there is no good reason whatever for pauperism. The circumstances of this country are such that if the population were all in that state in which we desire by our improvements to place them, be assured that the wages of the labourer, the demand for labour, and all the conditions to which the working men are subject, are such that there is no reason at all why they should not be ranked with the very highest, the very best, and the most affluent population of the world.

Now, these are in a great measure many of the evils to which I would draw your attention. But I would likewise draw your attention to a part of the remedies we propose, because those remedies are well worthy of your notice; and you will see, from many of them having been tested by experience, that I am not urging that which is a vague theory, but that which, in many instances, will be proved to you by most undeniable results. There is no doubt that there may be many subsidiary evils and many subsidiary causes for those evils; but if we come to generalize, we shall find the main source of the evils to which we allude arises from two causes—from bad water and from bad air. Wherever we have applied the remedies of good water and good air, in every instance the circumstances have ensued which we predicted, and in every future instance, depend upon it, they will be found to have the same result. We should first, as far as possible, introduce building provisions as to houses, the width and construction of streets. I have seen the greatest benefit produced by destroying a court as a *cul de sac*, by knocking down the end house and making it a common thoroughfare. You must also erect houses for the people to live in, or go to the adaptation of old houses. All such rules, as has been seen by proof, have been most effective in their operations. Take for instance the registration of common lodging-houses. There has been no one measure more productive of good

results than that simple enactment. You may now see that, in the whole population of London, where at this moment there are from 50,000 to 60,000, and more, sleeping nightly in the common lodging-houses, there has not been for the last two years one single case of fever engendered in those houses. We need not dwell upon the sanitary regulations for the army and barracks—these will be touched upon elsewhere; but I think, also, that you must look very attentively to all regulations affecting quarantine, and inquire most minutely whether quarantine is not of itself a grand delusion, and whether the best quarantine is not to be found in regulations for the cleanliness of ships, in regulations for the cleanliness of towns, in regulations for the cleanliness of the country at large, and whether it is possible by any caution of yours to keep out disease when you yourselves are doing everything you can to engender it within. And amongst your other remedies you must resort to parks and play-grounds. Not only are they beneficial as open spaces, but they are greatly beneficial as having a moral effect in affording wholesome amusement, relaxation, and pleasure. Depend upon it that the mind must occasionally be amused as well as the body be cared for; and I have often thought there was a good deal of truth in what was said by the well-known Dr. Jackson, of Christ Church, who, when asked whether he would not wish to have his college consist of the profoundest and ablest students, replied, 'No, I would have no such thing. There must always be a certain number of idle men to amuse the reading men.' Whether you would like to see that carried into effect in your Queen's College and other places, I cannot say; but of this I am sure, that the principle was correct—and there must be a degree of amusement for all who are engaged in constant work, whether it be of the head, or whether it be of the hand. As Lord Brougham has suggested to me, the truth is well expressed in the old proverb —'All work and no play makes Jack a dull boy.' Well, then, don't you press too hard upon your Jack in the chair. Give him fair play, and you will be benefited by his intellect, and his intellect may very often do you a great deal of good if you attend to what he says. It is clear, too, that there is great advantage in reduced hours of labour, there is great advantage in the Saturday half-holiday, and I trust and hope that Liverpool, at least, will not be backward in instituting parks and playgrounds; for not only has she a large population, but I believe I can say without contradiction that the progress of wealth in Liverpool has been the means of depriving the working men of many of their enjoyments by converting the ground used by them for recreation into wharves and docks. If that be the

case, do not let increasing wealth be the means of oppression to the working man; but see that the greater your wealth and prosperity, the greater be his consideration and your regard for the dignity of himself and of his household. I should like also to see gymnasiums attached to every one of our schools, for I believe that such exercises ought to be an essential point of education. It was so in ancient times; there is no reason why it should not be so in these. They may not be, in the same degree, necessary at our great public schools, where large playing-fields and manly games are universally found. But they are required for the schools of the poorer classes; and even adults after a day's work might, oftentimes, resort to such exercises; a new set of muscles would be brought into use; and the body, like the mind, might be refreshed by change of action. Cannot the establishment of drinking fountains be made more general throughout our large cities? You have them in your town of Liverpool, founded at the expense of a liberal and enlightened citizen, Mr. Charles Melly; and I am told that no less than 60,000 people drank of them during the past year! Many visitors, be assured, were, by these means, turned aside from the ale-bench and the pot-house. Let every woman of the working classes have some knowledge of cookery. I am certain, from experience of the working classes; that they are ten times more improvident and wasteful than far wealthier people. It arises from a variety of causes, one of which is ignorance, in illustration of which I may tell you a story.—I came into these parts some years ago at a period of stagnation of employment, when people were receiving little or no wages, and were brought to the door of famine, with a magnificent supply of fish on the coast; I said to one of two women, 'Why don't you get fish and make a dinner of that?' and the answer was, 'Oh, they are too nasty, they have no taste at all.' Now, if, instead of a Lancashire woman, it had been a French woman, with ready science, and a couple of sous in her pocket, she would have bought some savoury herbs and made a dinner of fish fit for a royal table. Read Soyer, and the effect his simple amendments produced in the Crimea, and you will see this proposition is not to be set aside with indifference. The London Ladies' Association for the Diffusion of Sanitary Knowledge amongst the People is an admirable enterprise. They have sent me two treatises, which I shall certainly study; though it may be doubtful whether I shall have occasion to use them; one is *How to manage a Baby*, and the next, *How to feed a Baby with a Bottle*. Now these things, though apparently small, are of very great importance in the domestic life of working men and working

women; they make up the sum and substance of their earthly comfort, happiness, and honour; and therefore none of these things should be treated as insignificant; they should be looked into; all these various associations should have their branches that might diffuse this humble but most useful knowledge; and depend upon it there will flow from it a great increase of decency, happiness, and general enjoyment.

These are some of the evils; of the remedies for them, many may be accepted, many rejected, but all should be investigated; for, I say it without presumption, that the things we state from the platform are founded on experience, and what we propound is no longer matter of experiment. The operation of the Public Health Act has shown, in Ely, that the town might be nearly as healthy as the country; it shows a marvellous reduction of mortality, to 17 in the thousand, when the mortality of rural districts around it amounts to 21 in the thousand. It is the same in Croydon; and in Liverpool, I am informed—greatly to your honour (and this adds no little to your responsibility)—that your sanitary arrangements save 3700 lives a year as compared with former times. I do not mean to say that the very highest sanitary arrangements in towns will bring health and life to the same standard as the highest arrangements in country districts; but I assert the great improveability of urban life, and the abatement of much suffering among dense populations. Surely that is a matter for deep and solemn consideration; and ought we to be tranquil when we are told that the preventible mortality in this country amounts to no less than 90,000 a year? Let us say, to be within compass, 40,000; that is, four lives an hour. Again I assert, here is matter for solemn consideration. Now we may be told by some that these things are but in the course of nature, and we ought not to interfere; on such we will turn our backs, we will not listen to such a representation. We may be told that these things are costly and require financial effort, and the people are not ready to undertake the expense; but we may safely say that it is disease that is expensive, and it is health that is cheap. There is nothing so economical as justice and mercy towards all interests—temporal and spiritual—of all the human race. If we be told that spiritual remedies are sufficient, and that we labour too much for the perishable body, I reply that spiritual appliances in the state of things to which I allude are altogether impossible. Make every effort—push them forward—never desist—lose not a moment—but depend upon it that in such a state of things you will in the end be utterly baffled. But when people say we should think more of the soul and less of the body, my answer is, that the same God who made the

soul made the body also. It is an inferior work, perhaps; but nevertheless it is His work, and it must be treated and cared for according to the end for which it was formed—fitness for His service. I maintain that God is worshipped not only by the spiritual but by the material creation. You find it in the records of the Psalms,—'Praise Him sun and moon, praise Him all ye stars of light.' And that worship is shown in the perfection and obedience of the thing made. Our great object should be to do all we can to remove the obstructions which stand in the way of such worship and of the body's fitness for its great purpose. If St. Paul, calling our bodies the temples of the Holy Ghost, said that they ought not to be contaminated by sin, we also say that our bodies, the temples of the Holy Ghost, ought not to be corrupted by preventible disease, degraded by avoidable filth, and disabled for His service by unnecessary suffering. Therefore all that society can do it ought to do to remove difficulties and impediments; to give to every man, to the extent of our power, full, fair, and free opportunity so to exercise all his moral, intellectual, physical, and spiritual energies, that he may, without let or hindrance, be able to do his duty in that state of life to which it has pleased God to call him.

Address

BY THE

RIGHT HON. SIR JAMES STEPHEN, K.C.B.,

ON COLONIZATION AS A BRANCH OF SOCIAL ECONOMY.

BY the term social economy we propose (as I understand) to designate all those branches of social science for which no appropriate place could be found within any of our four preceding specifications. That those branches are very numerous, and widely dissimilar, was sufficiently apparent at our last annual meeting. What may be the number or what the variety of them on the present occasion I do not know, and I am therefore unable to lay before you any general review or outline of them all. So, confining myself to a single plot in the comprehensive field assigned to the section over which I am to preside, I propose to throw out some remarks on the influence which the British islands and the British colonies reciprocally exercise on the social condition of each other, and especially on the manner in which they are both affected by that tide of emigration which is continually flowing or ebbing between them. Why and how we colonize, and why and how we emigrate, are inquiries of so much inherent interest that I trust you will not refuse your attention to them, rudely and most imperfectly as they must be handled by me.

England has never been without an outer Court of Empire. Such were the hereditary French fiefs of our Norman kings, such the conquests of the Plantagenets in France, and Wales, and Ireland; such the settlements of the Tudors on the continent and islands of America; such the extension of those settlements under the Stuarts and Oliver Cromwell; and such the territories which since the accession of the house of Brunswick have been subjected to their Crown in America, in the Mediterranean, in Africa, in India, and in Australia. And thus the current of conquest and of colonization has been continually flowing on, until at length the trans-oceanic dependencies of this kingdom have come to comprise one-seventh both of the population and of the terrestrial surface of the globe; while this central seat of empire, attracting and attracted by her colonial satellites, imparts to them

all her religion, her laws, her language, her literature, and her civil franchises, and especially that pre-eminent franchise of self-government, the very life-spring and cementing principle of the entire system.

If it be asked what are the secondary causes of this constant reproduction, through twenty successive generations of mankind, of results at once so uniform and so momentous, the answer is, that those causes are all to be found in that wise admixture of benignant parsimony and kind munificence with which nature has bestowed her bounties on our favoured land. She has contracted these islands within narrow limits; she has separated them from the Continent and from each other by tempestuous seas; she has given them an ungenial climate and an ungrateful soil; and has thus refused to us all the luxuries and most of the comforts of life except upon several inexorable conditions. These are that we devote ourselves to life-long labour, either mental or manual—that we explore and cultivate distant lands under brighter suns, and that we carry on an active trade with the remotest regions of the earth. To enable us to fulfil these conditions nature has bestowed upon us at home territories adequate to the bare sustenance of a numerous people—she has given us coal and iron, extensive sea-coasts, many noble harbours, and a geographical position eminently favourable to commercial intercourse with all other nations. To these merely material advantages nature has added the gifts of athletic frames, of stout hearts, and of indomitable perseverance.

When an Englishman talks to you about England, always listen to him suspiciously. For with all her bounties nature has not bestowed on us the very sweetest tempers in the world, so that we are usually vociferous either in praise of our national character to vex the foreigner, or in dispraise of it to vex each other. Our habit of self-depreciation, indeed, is so inveterate as not seldom to become extravagant and ludicrous. For example, when we are in want of a typical or representative man, to impersonate the all-colonizing Englishman, we set our pens and our pencils to work to delineate that overfed, overtaxed, surly, all-abusing, and all-enduring biped whom we call John Bull—a portrait as faithless as it is offensive. Countless shoals of such porpoises as he would never have won for us our colonial empire. I am for putting down John Bull and for putting up Tom Brown in his stead. You have all read and admired his autobiography, and his description of the great family of the Browns of which he is so bright an ornament; and you can therefore all understand how it is that they make their way to the ends of the earth, finding the land before them as the desolate wilderness, and leaving it as the very Garden of Eden behind them.

Such being the colonial empire we have won, and such the agency by which we have won it, was it, after all, worth the winning? And who, you reply, can raise so absurd a doubt? Why, not a few of our minor political economists, and one, at least, who deservedly holds a high rank among us as a practical statesman, as a scholar, and as a political philosopher. In the last session of Parliament, Sir George Cornewall Lewis (for it is to him that I refer) is reported to have told the East India Company that the empire of which they boasted had been acquired unjustly and retained unwisely; and I am the rather disposed to rely on that report, because in his book on the government of dependencies he conducts his readers to the very brink, if not rather into the very abyss of the conclusion that when a nation plants distant colonies she does but lay the foundation for misrule, for disappointment, and for ruinous loss.

Now, gladly leaving to others the refutation of this doctrine, so far as it relates to the Eastern or the Western Indies, I regard it as a pestilent heresy so far as it relates to our great territorial settlements in North America, in Southern Africa, or in Australia; although I confess that, like many other heresies, it is defended by much sound and orthodox argumentation. For who will not concede to the late Chancellor of the Exchequer, that we cannot draw from our colonies any direct tribute to the British treasury—that we cannot recruit our fleets and armies at their expense—that we may no longer send our convicts to their shores—that we cannot have any monopoly of their trade, and that it would not be worth the having if we could—that, in justice to ourselves, as well as to them, our Government must disclaim all control over their official patronage—and that we can seldom, if ever, interfere in their internal affairs without doing irreparable mischief and inducing well-founded discontent? Yet, in perfect consistency with all these concessions, we may maintain that our colonies are among the most valuable of the many blessings which Providence has bestowed on our land.

For, in the first place, I venture to say—though Sir George Lewis scouts it as so much rhetorical nonsense—that the glory of being the metropolis of these magnificent dependencies is a real and a substantial advantage to Great Britain and Ireland, although I confess that I am unable to define the nature or to express the amount of that advantage in any authentical or statistical terms. But, of the most precious treasures of a great nation, how many are there which cannot be spanned by the theodolite, or weighed by the steelyard, or measured by avoirdupoise! and, of such treasures, is there any more precious

than the title which such a nation may have established to the esteem and gratitude of mankind at large by the wise, magnanimous, and beneficent use of her powers? And when were such national powers ever employed more wisely, or magnanimously, or beneficently, than when we converted the American and Australian wildernesses into the abodes of populous commonwealths, the inheritors of our Christianity and civilization, and impressed with the very image and superscription of our ancient constitutional monarchy?

This is indeed a glory which the world at large will never celebrate or recognise; but what then? True glory is not dependent on external suffrages. It can exist and flourish without them; nay, it can so exist in the highest conceivable, or rather in the highest inconceivable, degree; for we are bidden to ascribe to the King of kings Himself not the kingdom and the power only, but the glory also; the glory, that is, of reigning over that boundless kingdom, and of using that almighty power for the welfare of all who are subject to His dominion—the glory of bestowing blessings upon them, not the glory of receiving benedictions from them.

But not only are we to expect no applause from other States for our colonization of the world. So long as we 'hold that princely heritage in fee' we must expect to be regarded by our neighbours with envy, distrust, jealousy, and ill-will. In reference to them we must always be drifting towards the state of isolation so much abhorred of diplomatists; and in the time of need we shall too often find our alliances with them but so many treacherous quicksands. With our colonies it is not so. They are bound to us by alliances which they will hold sacred and inviolable as long as we ourselves continue to be true and faithful to them.

I am not now speaking of alliances negotiated by plenipotentiaries, drawn out into protocols, and then transcribed on parchments to be interpreted by jesuits. I am referring to tacit and unwritten compacts, dictated by ancient attachments, by the sense of duty, and by the sense of interest; and sustained by many inveterate habitudes and perhaps by not a few honest prejudices. They are compacts of which nature herself is the guarantee, and which will therefore remain dear and venerable to the contracting parties, even after many provocations and many contests; for these are, after all, family quarrels, which, if more bitter than any other, are also more readily and effectually reconciled.

The tacit alliances between ourselves and our colonies may be said to be either domestic, or foreign, or religious, or commercial. By domestic alliances I mean their and our joint assent to the principle that they and we are all one people, so that no

one of us is merely a member of a single realm or province, but that each one of us is also a member of a mighty empire, to the public trusts and honours and emoluments of every part of which we are all equally entitled to aspire on equal terms. By our foreign alliances with our colonies, I mean their and our adoption of all the relations, whether of peace or war, into which our sovereign may enter with any other potentate, so that each component part of the Queen's dominions has always the same friends, the same allies, and the same enemies. By our religious alliances with our colonies, I mean their concurrence with us in allowing every one to worship according to the law of his own conscience without incurring on that account any pain or penalty, or civil disability, or political disqualification. And by commercial alliance I mean the guarantee to be found both in the imperial and in all the colonial statute books, that within their respective jurisdictions every person in the Queen's allegiance shall enjoy an absolute freedom of buying and selling what and where and when and how he likes, unobstructed by any partial law or favour of others, and unburdened by any duties excepting only such as may be imposed with a real and an exclusive view to the interests of the public revenue. Such are the four main articles of the great federal compact between the fifty united States of the British Empire.

But all these articles are not intended for all times. It is evidently possible, I think it is probable, that the day will come when our Canadian and our native dependencies will calmly and deliberately insist on being dependencies no longer, but on being as independent in form and in name as they are already in truth and in reality. And when that demand shall be so made, is there a man among us who would discharge, I do not say a single cannon, but so much as a single lucifer-match, to resist it? May the union be perpetual; but if it shall ever cease to be spontaneous and cordial, it will also cease to be valuable. Our colonies have evidently the power, if they shall ever find the will, to dissolve the federal compact with us, so far as it is either domestic or foreign. But so far as it is religious and commercial, neither they nor we can entirely dissolve it. To a great extent it must, in those respects, remain indissoluble. To this hour we maintain a tacit yet a binding alliance, religious and commercial, with the United States. The third generation of American citizens are still, I believe, looking with some yearnings of the heart, and with some filial pride, to the land of their and our ancestry. That they are looking to it with much commercial complacency is not a matter of doubtful belief, but of certain knowledge.

To attain that certainty, take an hour's walk along the banks

of the Mersey, and there you will learn of what importance, both to ourselves and to our emancipated colonies, is the trade we carry on with them. There also you may learn what is the magnitude of our commerce with our remaining colonies; or you may acquire such knowledge in the library, by taking down a few of the later statistical reports of the Board of Trade. There you will find yourself in the very romance of statistics. There you will meet Mr. Fonblanque, not quite as witty as when he used to address us from week to week in the *Examiner*, but even more interesting. If I venture to draw two or three facts from these tables, I trust no one will suspect me of designing to administer to him a dose of statistical chloroform.

The latest of these annual returns which I possess is for the year 1856. It shows that such was the number of merchant ships which in that year entered and quitted the ports of this kingdom from and for our colonies, that if brought together on any one average day of the 365, they would have formed a fleet of 197 sail; that on any such average day their cargoes were of the value of 280,000*l.* and upwards; and that in any one average week the whole of such cargoes, if laden on trucks, each ten feet long and each carrying four tons, would have filled a monster train reaching from this place to London.

Now, let this immense interchange of commodities with our colonies in the middle of the nineteenth century be contrasted with the dark forebodings with which the century opened. Then it was that the name of Mr. Malthus was first heard beyond the walls of his college. If the sacred text, 'Increase and multiply, and replenish the earth, and subdue it,' had been interpreted by the men of those days as an encouragement to marry, to emigrate, and to colonize, I suppose he would have acquiesced silently, if not complacently, in that interpretation. But when he found that, however destitute both of provision and of prospects, they were marrying and giving in marriage, as if in reliance on some unconditional promise, or in obedience to some unqualified precept from on high, he took up his parable, and read to the family of the Browns such a lecture as they never received before or since. He told them that they were in too great a haste to be married, and that when married they gave birth to many more children than enough. He said that though their food could at most be increased only in arithmetical progression, they were increasing the eaters of food in geometrical progression. He told them that population and food were thus engaged in a disastrous race, which, in the language of our own days, he would have likened to the pursuit of a parliamentary train by an express train, threatening the hapless parliamentarians with utter ruin and demolition.

Never were principles more true or prophecy more false. The principles were true, because they proceeded on a right appreciation of the supreme authority of justice, temperance, prudence, and self-denial in human affairs. The prophecy was false, because it proceeded on a wrong appreciation of the state and prospects of human affairs among the English people, to whom the prophet chiefly addressed himself. Wise and enlightened as he was, Mr. Malthus did not perceive that the political abuses which he justly deplored as the cause of so much social evil, were even then undermined and tottering to their fall. He did not see that he was standing on the very threshold of the great English revolution of the nineteeth century. He did not discern the rapid approach of parliamentary reform, of municipal reform, of poor-law reform, of national education, of the repeal of all religious tests, of the improved administration of justice, of the abolition of the slave trade and of slavery, of colonial self-government, of the transfer of the soil of Ireland to an unencumbered proprietary, and of our commercial enfranchisement; or, more briefly, he did not anticipate those measures for which the names of the first and of the present President of this society will be honoured by our latest posterity. Nor had he any prophetic vision of the coming miracles of the steam-ship, of the railway, of the electric telegraph, and of the gold fields. Yet Mr. Malthus was the most eminent of the political economists of his age and country —an enviable, doubtless, and an elevated position; yet not the most elevated on which the monitor of a great nation can take his stand.

Would you learn how the resources of the State have been squandered, and how they may be restored, address yourself to political economy; but would you know what are the duties of the State, what the aims she ought to cherish, and what the enterprises in which she ought to engage, address yourself to yet nobler oracles. Such knowledge is to be sought at the shrines of religion and science, of faith and hope, of an enlightened patriotism, and of a world-embracing philosophy. The homage rendered to those powers by England during the last hundred years has neither been infrequent or ineffectual; and therefore, throughout that period, England has never been afflicted with any prolonged and violent disturbance of the balance between population and the means of subsistence. Mr. Malthus has accordingly had but a Cassandra's welcome among us. In Ireland his pages ought to have been received like the leaves of the sibyl, for in that overpeopled land, famine, followed by pestilence, has appeared nine different times within the same century as the messenger of death, and, let us hope, as the teacher of wisdom. Among the many lessons which the

visitation of 1847 was commissioned to teach, one was the truth that reckless marriages are selfish crimes; another was the lesson why and how we ought to emigrate. To emigrate is no holiday pastime. The ship in which men abandon their fatherland for ever does not put to sea like the trim vessel of the summer tourist—'Hope at the helm, and pleasure at the prow;' but freighted with aching hearts, with mournful retrospects, and with dark forebodings. It is true that, in that as in all the other passages of life, man is impelled onward by the combined influence of all the motives at the confluence of which he is placed; but with the emigrant the victorious and the dominant motive is the desire for deliverance from present distress and of escape from impending misery. There are, of course, many exceptions, but such is the general law. The pressure of the atmosphere is not measured more exactly by the height of the mercury in the barometer than the price of labour and of the commodities usually consumed by labourers is indicated by the manner in which they either throng to the emigrant ship or avoid it. Mr. Fonblanque's tables teach us this; but our own hearts still more surely teach us that the sedentary propensities of our nature have in us all an habitual mastery over our migratory propensities, and that in the social as in the natural body, the conflict of the antagonist muscles is always tending to repose. To induce any man to cross the ocean in search of a new domicile you must employ some very energetic force. To induce millions of men to take that step simultaneously you need a force analogous to that by which, as the geologist tells us, continents have been upheaved. The only force adequate to such a result is the pressure of extreme calamity and terror. Here, then, you have a measure by which to gauge the sufferings of the people of Ireland during the eight years of which 1847 was the first. The number of Irish emigrants in those years is estimated by the Emigration Commissioners to have exceeded 1,700,000—an estimate which they consider as far below the truth. Those figures, well weighed and meditated, will reveal a tragedy which no mere words could disclose with equal eloquence. Yet most eloquent were the words in which it was described by the witnesses summoned before the Parliamentary Committees of 1847, 1848, and 1849. They told a tale never to be forgotten, never to be needlessly remembered. Suffice it to say that their evidence showed that at least two millions of our fellow-countrymen—and they not the prodigals of our national household, but eminent among their brethren for the vivacity of their minds, the kindness of their hearts, and their domestic virtues—were in that dread season seeking to be fed with the husks that the swine did eat, and had long and often to

prefer even that request in vain. But He whose high prerogative it is to bring good out of evil, ordained that even out of these terrible disasters should spring fruits, for which the sufferers themselves, the land of their birth, and the land of their adoption, should all join in one glad chorus of grateful adoration. Of those adopted lands, and of the reception of the sufferers in them, the parliamentary witnesses drew pictures usually attractive and sometimes even fascinating. Some of them extolled the invigorating climate and the cordial society of Eastern Canada; some celebrated the unrivalled fertility of the Upper Province; some dwelt on the exhaustless capital and demand for labour in the United States; and some on the perpetual spring, the interminable pastures, and the mineral wealth of Australia. There were witnesses who graphically described the Irish emigrants as, touching the western shores of the Atlantic, they leaped at once from wages of half-a-crown to wages of a guinea and a half by the week. Others exhibited domestic dramas of which the half-cleared wilderness was the scene, the Irish emigrant the hero, and a seat in some municipal or provincial council the splendid catastrophe. Many celebrate the fact that, in the person of the redoubted General Jackson, the presidential chair of the United States was filled by the son of such an emigrant. With one voice they all bear testimony to the thrift, sobriety, and diligence, and to the state of comfort in which the emigrants were living. Mr. Godley assigns to them three daily meals of butcher's meat, and clothing like that of a thriving farmer in the West Riding. But Count Strelezki reaches the climax—'In the United States, in Canada, and in Australia,' he says, 'I saw the Irish living as well as the Anglo-Saxons, acquiring their grumbling habits, and thus continually improving their condition!' Tell it not on the banks of the Liffey, lest the Emerald Isle be deserted by all her sons. Think of O'Connell's 'hereditary bondsman,' 'close-buttoned to the chin—broad cloth without and a warm heart within,' grumbling over his sirloin at the hardness of the times, and fattening as he growls! And warm indeed were the hearts of those noble exiles. We know something and have all heard much of Irish eloquence; but neither Burke nor Sheridan, Plunkett nor Grattan, Curran nor O'Connell, has left behind him anything so moving as some of the letters laid before Parliament, in which the Irish in Canada invited their kindred at home to join them there. To their grammar and spelling, indeed, belongs only the praise of a bare originality; but the tenderness and the pathos, the gracefulness and the gaiety, the quiet humour and the homely wisdom, with which they address themselves to *their* deserted villages, bespeak them at once as

genuine members of the land, and as pure scions of the stock of Oliver Goldsmith. Nor was theirs a mere lip rhetoric. Their invitations were accompanied and enforced by pecuniary remittances, which were made partly through private hands, of whose receipts nothing is publicly known, but chiefly through the greater commercial firms and banking houses of Ireland, who, on accounts spontaneously transmitted to the Government, debited themselves with receipts which in the ten years beginning in 1848 and ending in 1857 amounted (they to whom the fact is new will scarcely hear it without incredulity) to 9,937,000*l.* Thus the remittances made by the Irish emigrants to their families at home from the savings of these ten years far exceeded the ten millions granted by Parliament for the relief of Ireland. Never was a debt more magnificently repaid or more nobly cancelled. Our ten millions ten times told would have been well repaid if it had made us no other return than the knowledge that such are the hearts that are beating in the bosoms of our Irish fellow-countrymen. Where in the annals of mankind will you find such another proof of the devotedness of a whole people to the sacred charities of home? What more conclusive proof could be ever imagined that the Irish emigrants have made a happy exchange of their native land for those distant lands in which they have thus thriven, and felt, and acted? But ill betide him who, by giving to that great national movement the name of the 'Irish exodus,' has infected our language and our thoughts with a false and pernicious analogy. 'When Israel came out of Egypt and the house of Jacob from among a strange people,' their departure was signalized by the outpouring of the most fearful of the many vials of woe which fell on the land of their captivity, and they were forbidden to cast back towards it one longing look or one affectionate remembrance. But both on the ocean and in the wilderness the fugitives from Ireland were still her dutiful children and her self-denying benefactors, and may now look back with the happy assurance that by their self-exile they enabled the Legislature to bestow on her the inestimable, though otherwise unattainable, blessing of an unencumbered proprietary. But Ireland is not the only field, nor is the so-called exodus the only occasion on which, since the peace of 1815, emigration has had a chief place assigned to it among our national resources.

They who participate with me in the melancholy advantage of being able to remember the progress of public events so long as thirty-two years ago will call to mind how, at that time, Mr. Wilmot Horton (the pleasantest of companions and the most restless of politicians) wedded himself to that cause; how enthusiastic was the garrulity of those espousals, and how they

gave birth to a progeny of reviews and articles, and reports and books and pamphlets, either fugitive or motionless, without number and without end. From some acquaintance with that peculiar branch of literature, aided by some official experience, I believe that I could give an orthodox confession of the emigrational faith which would be as dogmatic as all other creeds, though perhaps less concise. But it will better become this presence and this occasion if I confine myself to a statement of some of the chief articles of that faith, and thus enable myself to return a more precise answer than I have yet given to my own questions—How and why do we emigrate, and how and why do we colonize? First, then, the right belief, or at least the traditional belief, is that to emigrate and to colonize is the prescriptive, the hereditary, and the exclusive privilege of the race which it is the fashion to call Anglo-Saxon. In support of that claim it may be observed, first, that England is itself a colony planted twelve centuries ago by the Teutons of Northern Germany, and conquered eight centuries ago by the Teutons of Scandinavia; and, secondly, that England is the only European state of which the present inhabitants are the offspring of colonists who were settled in it within the period of authentic history; and, thirdly, that England is the only state which within that period has ever founded and retained a colony properly so called—that is, a commonwealth composed exclusively of free men, and planted in a wilderness destitute till then of all culture and of all settled inhabitants. The French in Canada attempted such a plantation, but it is needless to say with what eventual success. For the right discharge of this hereditary office the English race has been endowed with some physical qualities of which it is needless to speak, and with some less obvious though more important moral peculiarities. *Ennui*, the enemy of the race of men, is encountered by all nations with labour, or sports, or society, or with a dreamy repose; but your Englishman is neither sportive, nor social, nor addicted to waking dreams. Work is his one defence against *ennui*. He throws his heart—too often his whole heart—into his work. If he may work from the slumbers of one night to the slumbers of the next he is content. If he may but work, he is willing to be left alone. With his axe in his hand and his rifle on his shoulder he will work and subsist in the wilderness on a diet of talk and company so stinted that no one else could live on it. I do not say that these are either good or amiable habits, but that they are just the habits for changing a primeval forest into a flourishing province. Englishmen also drink in with their mother's milk the spirit of respect for law and lawful authority, and of reliance on themselves and on each

other. When they meet in the wilderness, they therefore extemporize a free and enduring government on the old English model, in less time than as many Frenchmen would take to draw up their preliminary declaration of the colonial rights of man. An English colony, in virtue of that great federal league of the united States of the British Empire to which I just now referred, draws in its infancy from England both capital and population, and receives in its maturity from England emigrants to render prolific the capital which by that time the colony has accumulated. It is the duty and the practice of the British Government to take the best possible security —first, that no such emigrant shall reach the colony in a state of disease or of squalid poverty; and secondly, that any public funds which may be devoted to the expense of their migration be honestly, humanely, and frugally expended. These duties were devolved by Lord John Russell, as Colonial Minister, in 1840, to the board which he constituted, under the name of the Colonial Land and Emigration Commissioners, which is yet in full activity.

Experience has clearly ascertained that no such public funds can be raised by any general or local taxation in this country. Emigration is and must always be dependent either on private funds—and especially on remittances from those who have already emigrated—or on the land revenue of the colonies themselves. Mr. E. Gibbon Wakefield claims to be the inventor of the dedication of the colonial land revenue to this service. Whatever may have been the originality or profundity of his doctrine, the substance of it was sufficiently simple. 'Never,' he said, 'give away an acre of the colonial wild lands, but sell them all by auction, and at an upset price.' Lord John Russell assented, and in 1840 obtained from Parliament an act establishing those rules. 'Apply,' said Mr. Wakefield, 'the whole produce of the land sales to the introduction of emigrants.' His lordship again assented, stipulating only that the colonial legislature might divert as much as fifty per cent. of the land fund to any other local objects which they might think of still more urgency and importance. 'Let your upset price,' said Mr. Wakefield, 'be always 'the sufficient price.'' Lord John Russell avowed his inability to discover what these words might mean, and Mr. Wakefield, after much examination, was unable to render them intelligible to any of his hearers. Some years later, Lord Grey interpreted 'the sufficient upset price' to mean twenty shillings per acre, to the great joy of the squatter, who, like his counterpart the English smuggler, fattens as the demands of the Government upon the fair trader grow excessive. Because people could not buy farms at twenty shil-

lings an acre, the squatter seized upon tracts as large as parishes, hundreds, and counties, at nothing at all per acre. At Lord Grey's instance, Parliament gave them very advantageous leases of these holdings. Whether they shall retain them is at this day the great bone of contention between Australian statesmen. The squatocracy, being indirectly indebted to Mr. Wakefield's theory both for that sonorous name and for the possessions to which it refers, acknowledge and revere in him their patron saint.

To whatever extent our colonies defray the expense of immigration, to the same extent they decide what manner of persons shall immigrate. They will have nothing to say to people of sedentary pursuits: tailors, shopmen, footmen, clerks, and weavers they regard, in the language of the 'price current,' as a mere 'drug.' The men for their money are ploughmen, shepherds, miners, masons, carpenters, and blacksmiths. I see from one of the *Reports* of the Commissioners, that for every single emigrant drawn from our six greatest manufacturing counties, four are drawn from six merely agricultural counties. I therefore cannot think that the advice lately addressed to certain Glasgow weavers was judicious. If, in deference to their monitor, they shall scrape together enough to carry them to any present or former British colony, they will find themselves there much in the same plight as a riding-master would be at Venice. If their bosoms are really corroded by the sight of the aristocratic distinctions which affront their eyes at home, with what still deeper grudgings of the heart will they gaze upon many a beggar on horseback abroad! Not to have been born to a title or an estate may perhaps be a mischance, but is at least no mortification; but to be utterly distanced in the race of life by those who entered it on equal terms with oneself may, in some constitutions of mind, turn the milk of their good nature into curd. Will he who is infected with that jaundice thank his teacher for having exposed him to it? Or will he not rather lament that his teacher's intellectual superiority over him was not used to dissuade his indulgence of those base passions, and to teach him how to find his own elevation in the dignity of others, and his own joy in their happiness?

So far in answer to the question, 'Why and how we emigrate?' To the question, 'Why and how we colonize,' a most discouraging answer has been given by one of our wisest men. It is said by Archbishop Whately that we have lost the art of colonization. A melancholy, if indeed it be an accurate, statement; for since the peace of 1815 we have sent from our shores more than five millions of emigrants, of whom about two millions have reached Australia and Canada; and these, if the archbishop be right,

must have become not well-settled colonists, but so many aimless vagabonds. Now, he himself (as I have heard him say) is exactly of the same age as the oldest of our Australian colonies. In his lifetime these territories were a mere hunting-ground where hordes of naked savages chased herds of leaping kangaroos; and in his lifetime they are the abode of more than a million of persons of British birth or parentage. In his lifetime these territories were covered by the primeval forest; and in his lifetime they are now the seat of eight representative legislatures, of as many superior courts of justice, of ten bishoprics, of four universities, of churches, chapels, and schools counted by the hundred, of miles of road and railway counted by the thousand, and of seaports thronged with shipping beyond all but British and American example. Or to select one from these eight colonies. It is just twenty-one years ago that I had to lay before Lord Glenelg, then my official superior, a despatch from New South Wales announcing the arrival at the southern cape of that colony of a small body of English adventurers who seemed disposed to settle on that nameless and uninhabited region. It has now acquired the name of Victoria. It is now inhabited by half a million of free men. It has now a capital city as large and as populous as Oxford. It has an annual revenue of nearly four millions. It annually exports goods to the value of twelve millions, against imports of the value of eleven millions. Or back from Victoria to the antipodean province of Canada. When Dr. Whately entered this world there were not nearly 100,000 Canadians on it. Now there are more than 2,000,000, and they the constituents of a legislature unrivalled in dignity or power by any legislature on earth except the Parliament of this kingdom and the Congress of the United States. Therefore I hold that the great commentator on Lord Bacon's 'Essay on Colonization' is in error; that it is an art which this age has not lost, but has discovered, and that, though it be an age of great marvels, it has produced nothing more truly marvellous than the recent growth of our colonial empire. Such is the answer I have to make to the two questions which I proposed at the outset. I have made it rather to elicit than to disclose the truth, on a subject of no light importance to us all; for though elsewhere I am a teacher of history, I present myself here rather as a pupil in the great science to which history is, or ought to be, ministerial.

SELECT PAPERS,

NOTICES OF PAPERS,

ETC. ETC.

JURISPRUDENCE

AND

AMENDMENT OF THE LAW.

The Legislative Arrangements of a Ministry of Justice. By ARTHUR SYMONDS, *Barrister-at-Law.*

AT the Meeting of the Association last year I read a paper on the Recordation of the Law for the purposes of Promulgation, Administration, and Legislation. That paper referred to the General Principles and Methods of such Recordation. The present paper continues the subject. It gives in the form of requisite legislative arrangements of the Ministry of Justice, by whomsoever executed, a plan of operation, and the appropriate agency.

The subjects of this paper are—I. The appropriate provision for enabling the Government to prepare its measures; II. The appropriate provision for enabling the Houses of Parliament to revise Bills in passing; and, III. The appropriate provision for the consolidation of the present and future law, as a basis for future legislative operations; but, above all, as a body of law intelligible and accessible to the people, that shall be more in harmony with the popular and free spirit, with the busy enterprise of the nation, and with the exigency of amending it, in obedience to the reasonable and resistless demands of the people, without destroying its constitutional character, its simplicity, its intelligibility, its accessibility, and its wholeness, or that precision which is necessary to our system of exact authority and definite responsibility.

The chief difficulty is the want of a clear view of the feasibility of the work, of the means by which it is to be executed, of the persons to whom the task should be committed, of the economies to be regarded, and the modes of bringing about the co-operation of all the persons whose services are requisite in an undertaking so national in its character—so universal in its relations.

An isolated agency would be without the aid and without the sanction of the public at large, and would exhaust itself in preparation, without obtaining the concurrence of the Government or Parliament; and, if a part of the Government, would be liable to the fluctuations

of effort to which our Parliamentary Government is exposed; and, if a permanent subordinate office, body, or commission, exposed to jealousies which it would not have inherent vigour enough to counteract.

There is no help for it, but in an effort as national as the work, with an end as universal as the whole interests of the State and of all its members, prosecuted with that spirit of imperial policy and determination which produced former embodiments of law in a code; and yet with such a due regard to all subordinate means and appliances, to the questions of the smallest economy, as that not only the whole purpose but every means may be justified.

This necessity, however, creates a difficulty, and exposes one to a cross-fire of objections, of being either too extensive or too detailed, —objections which have their weight with personages, whose habits and pre-occupation of mind prevent their engaging in a collation of the minutiæ of the plan with the purposes of the entire design.

The immediate practical end is the simple one of giving to each individual person, each individual proprietor, each individual merchant, each individual professional person, or private agent or functionary, each suitor, each officer of public administration, each officer of public instruction and record, each officer of public justice and law, each officer of public treasure, each officer of the public service, national or local, general or special, each individual, personal, or official character, known to the law, his own register or statute, or both, according to the nature of the matter,—framed upon one and the same principle—after one and the same method—in every detail (as scientific men give comparative analyses of their subjects), so that knowing the construction and rationale of his own law, he will know the construction and rationale of every other person's law. And by the mere collocation in apt order, and by the consolidation of each matter of common application in the same general law, general principles may be deduced, and individual law relieved of needless repetition.

The effect of the whole is that, as the personal entities which compose the community are each represented by personages peculiar to them, the whole state, and every part of it, will have due place, and by due marshalling will have that place indicated. The ordinary person, and the learned person, will each have the law arranged so as to meet their respective requirements; and by indexing the law, in relation to transactions as well as to persons, in relation to classes of persons as well as to individual persons, in relation to the localities of persons as well as to their classes, also in relation to times and events, and to stages in procedure and predicaments of action, and in relation to doctrine and instruction, a definite and prompt answer may be given to any inquiry on whatever occasion.

This is a work undoubtedly extensive and laborious, but not more extensive and laborious than any other scientific work that truly exhausts its subjects in text and index, nor beyond common literary and mechanical skill, placed under appropriate legal and official

superintendence (such as I shall have to indicate in the detailed plan).

Moreover, the concurrent operation of all official persons in the manner which I shall also have to indicate will be available, with the inestimable advantage of not only discharging the business in a comparatively short time, but of making the whole body of official persons conversant with the history, state, and practical conditions of their own offices, and the law by which their respective jurisdictions, in common with the other parts of our constitutional system, are governed, the want of which is full as much a cause of our legislative difficulties as the inorganization of our official departments, and the want of appropriate agency for legislative purposes.

With this preliminary basis of a *Register*, collection of statute law, and legal and legislative materials, the task of preparing the measures of Government, and the task of revising current legislation, and the task of consolidating the law as we go along, may be effected easily and naturally, while without it one sees neither beginning nor end, and an useless lavish expenditure of means employed in a Sisyphus-like undertaking of endless labour, disappointment, expense, and difficulty.

Regarding then the subject from the points of view of representative of the State, now and for generations to come; of the Sovereign, her councils, and ministers; of the people, their representatives, and agents; of every interest, public and private, within the State; of the imperial policy; and of the policy of the Government, it is considered, that we should frame the suggestions in accordance with the high duties of the great men who have the imperial questions involved under their consideration; and looking the exigency full in the face, should recognise every demand it makes, and measure the extent of the practical suggestions by the range of the utilities which are to be accomplished.

Upon the assumption that the nation, full of the admiration which our excellent Sovereign has merited by her truly royal conduct, would desire to illustrate her reign by the realization of the *Victoria* Code, of which expectation has been given; and upon the assumption that the First Minister of State would, with statesmanlike sagacity and energy, desire to initiate the work in a manner to ensure certain success in the result after no long space of time, and regular progress in the meanwhile; and with the conviction, the result of the observation of some thirty years' close scrutiny of this subject, that the work, if proceeded with in an honourable and honest spirit, with a just appreciation of all capacities, proved by actual work, and with a frank concession of the necessary means, can be effected, without magic or mystery, in a limited space of time, and that the very initiation of the measure by appropriate design, plan, specification, estimate, and suitable engagements would as certainly herald the completion of it within an assigned period as the completion of a building worked by like means is assured by the contractor:—these views are offered with confidence, but at the same time with earnest deprecation of the

reception of the illustrations as any more than such indications as a private individual with the most limited, nay with no assistance, can give in the short time at my disposal.

The whole body of the law, in principle and detail, with due relation to each other—the former predominating, the latter illustrating and confirming—constitutes at once the effect to be accomplished by the Government and the Legislature, and the very means of facilitating the preparation of the measures of the Government and the action of the Legislature thereon.

At the commencement of every session, this is the work on which the labours of Parliament are to operate; and the result of the labours of the session is the whole body of the law of the realm as modified by current legislation. The business is to make each accruing statute piece on to the existing law, and to *consolidate both without dislocating the existing fabric, or abating from the terms of the law which is incorporated with it.*

At first, the mass of matter collected will be found full of repetition and of incongruities. But the collection is the first necessary means of ascertaining the law; the next will be to assimilate it to common standards of form, so that each part may be like each other part; and be in a state to admit of being developed by the insertion of the matters in respect of which it may on comparison be found to be deficient, and to be then expurgated of matters in which it is excessive, and finally to allow of the amalgamation, in a consolidated body, of all laws that relate to the same body of matter, by the simple insertion of each like part with like part, in the same place and order which it occupied in the individual law, without the matters repeated in each; a safe mechanical process, upon the conditions indicated, and one which provides for the reverse operation, by way of abridgment, of giving to each country that part of the law which affects it, without encumbering it with the like special matter of the other countries.

The register will, of course, contain much matter that cannot be put into a law; but this sort of matter will find its place chiefly in the appendix or supplement, consisting of the history and state, the rolls of persons, the terriers, the charges, the calendars, the code of instructions, and register of transactions, whose office it is to receive enumeration of details, with a view to render the body of the register or statute the expression solely of the purpose, the principle, and the comprehensive enactment, and thus prepare the way for giving to our law the suitable generality of expression.

By which means the opposite views of those who, on the one hand, think that the expression of the law should be general in its terms, and those who, on the other hand, think that it should be specific in its enumeration of matters, may be regarded until the improvement of our system of practical legislation shall have established the preferableness of either method, or the convenience of using both in aid of each other, for the benefit of those minds which require either the abstract or the concrete forms, or perhaps both one and the other.

The register of the law, thus compiled, will be resorted to by all, and prepare the way for first, complete consolidation; next, codification; and be, in the meanwhile, the depository of judicial registrations by way of digest of the reports of cases, and of the authenticated doctrine of the judiciary, and also of good service in the practical work of legislation.

Its combined utilities must be regarded. It is not to be simply register, nor simply statutes, nor simply law, but a registration of the action and administration of law, of the natural history and course of law, which some prefer to positive enactment or institute, as a better expression of the nature and operation of law.

This literary and mechanical device of registration is adapted, then, to the wants of the people, their representatives and agents, and to the wants of the Crown, its councils and ministers, and the test of its usefulness will be the degree in which it will satisfy their inquiries under every exigency.

It is needless, to men of honour and intelligence, to emphasize the obligation which our public men are under to make the law as intelligible and accessible as possible to those whom they represent, and whom *ignorantia legis non excusat*, though life and fortune may be the penalty of ignorance; nor to emphasize the consummate folly of those who, in their capacity of legislators, in ignorance of what the law is, constantly pass laws by which their own fortunes and the welfare of their families are jeopardized.

The predicament is of so stringent a character, that it is unnecessary to plead for its practical recognition by all the means that are open to us; and it is the purpose of this paper to show that those means are, to a great extent, within our reach, actually existing, and paid for by the public treasure, and require but some appropriate reinforcement to make them available in the present need.

Having reinforced the Government by a committee of Privy Council, or Minister of Justice, by reinforcing the Lord Chancellor, by reinforcing the Secretaries of State, by reinforcing the Attorney-General, as Public Adviser and Public Prosecutor, and representative of the law in the Commons, or by some or all of these methods;—by, in short, a revival and reinvigoration of the system, rather than by a new limb, very jealously regarded by the existing members, and perhaps fully supported by none; and having, perhaps, enabled Parliament by means, not of one committee, but of several, to perform its part in the collection, reception, consideration, adoption, and sanction of new projects of law;—we have to consider in specific detail the *personnel* of the arrangements for effectuating the purposes indicated in the first paragraph of this paper.

It would seem that the first step is to give the Government, in its leading divisions, a class of draftsmen, not conversant merely with the phrasing of our laws, but with the history, state, and *rationale* of our great constitutional departments; not only with the tribunals, commonly so called, but with all tribunals of the state, with all the means by which public sanction is given to the public will; and by

which the intervention of the State, in favour both of public right and private right, is practically afforded.

The real cause of the incongruity in our laws is this unacquaintance with the principles, frame, and working of our institutions, arising, not from want of ability in the *employés*, but from the want of means to bring to hand at the moment the information which is needed, and the want of skill trained to the consideration and use of it.

The First Minister, as representative of the whole administration, the Lord President of the Council, as representative of the Privy Council, the Lord Chancellor, as representative of Law and Justice, the Chancellor of the Exchequer, as representative of the Public Treasure, and the Secretaries of State, as representatives of all special and local affairs, should each have his counsel learned in the matters of the department over which he presides, and responsible for all the laws of his department, and for watching and keeping up the register of the body of law, so far as his own department is concerned.

To the counsel of the First Minister might be assigned (as suggested by Mr. Coulson) the supervision of all Bills in their general form and structure, so far as the Crown is concerned; while to the Clerk of the Parliaments, the Custos of the Statutes, the person in the Constitution to whom the matter presently belongs, who is highly paid, and who is moreover the representative of the three branches of the Legislature, should be assigned the registration of the statutes, and the responsible rendering of the register to Parliament at the commencement of each session.

This officer is not only the right officer, but personally beyond any other man fit for the duty. He is not a mere conveyancer or a mere official, nor a mere parliamentary officer, but a man trained to the law, a conveyancer by profession; somewhile auditor of Lord Spencer's estates, Under Secretary for the Colonies, Poor-law Commissioner, Secretary to the Board of Trade, Ecclesiastical Commissioner, Clerk of the Parliaments, and, I believe, from time to time, member of some twenty commissions for all sorts of purposes, and thus acquainted with all matters of public law and private law, as well as with many constitutional and parliamentary considerations, which the most able inexperienced person could not have. It may be stated unhesitatingly, that no other man is, by official, professional, and personal qualifications, so fit for the duty which belongs to his office, for which he is highly paid, and in consequence of the desuetude of which he is employed in every sort of occupation but the right one; busy and overworked in every kind of undertaking, while his own proper one, of transcendant importance to the empire, is suffered to fall into the most lamentable desuetude, and to be starved of those obvious improvements which are befalling every other kind of undertaking.

If the direction, superintendency, and control were placed in the office of the Clerk of the Parliaments, the direct revision of the current legislation of each House might suitably be placed in the Counsel of each House, Mr. Palk, or Mr. Ker, in the Lords, and Mr. Rickards,

the Counsel of the Speaker, in the Commons, together with Mr. Coulson as representing the Crown.

Of course there must be a basis of operation, which might be gathered from the great body of authority to be found in writings on the subject, in the Acts of the Legislature, in the unpublished experience of those who have devoted their attention to the subject. This is a work which would be wisely entrusted to a small body of such persons, by way of Treasury Commission, Committee, or other such contrivance, to prepare materials for subsequent consideration by higher authorities, in the different forms of suggestion, of instruction, of rule, of standing order, and even of statute, as might be found suitable, or in accordance with the ripeness of conviction on the subject.

These, together with forms and instructions for the official use of the office, indexes, abstracts, &c. &c., and the proper mechanical facilities for prompt and complete registration, would necessarily constitute part of the outfit of the office, without which it would be imprudent to set to work.

The first reinforcement of the Clerk of the Parliaments, which I had intended to suggest to the Parliamentary Committee on the Revision of Current Legislation, was—

A Marshal, or principal executive officer.

An Associate, or principal recording officer.

To the former of which officers I should assign the special cognizance of all persons and personal entities, and to the latter the special cognizance of all acts and transactions.

Whether such officers should hold their posts with others or not, I consider it as of indispensable importance on the present occasion to mark and keep distinct these functions, which, by the way, for reasons I need not dwell upon, ought to have distinct and declared provision in every great office of state, as they have indistinct and undeclared provision in some.

Personality is the very soul and core of English Law, administered as it is for the most part by the people, or by popular institutions, but to avoid the isolation to which such manner of considering it tends, and to lead to the consideration of it in regard to its common purposes, its common relations and common action, it is necessary also to provide for distinct reference to the acts and transactions in which personality takes part. The union of these methods in appropriate degree is the means of adapting the law to the people on the one hand, and to the jurist, legist, or lawyer, on the other.

The next officer, more official and mechanical, would be the Registrar of Bills, Statutes, and Legislative matters, who should keep as subdivisions of his register,—a Register of Persons, Communities, &c., a Register of Transactions, a Register of Statutes, Bills, &c., a Register of Judicial Decisions and Doctrine, and a Register of Legislative Matters, some of which would be full—others of the nature of an Index or Ledger Register, according to the degree of particularity which might be requisite.

While the law is in its present state, it would be necessary to have a separate reporter and digest writer of judicial decisions and doctrines, especially such as concern statutes.

In the evidence which I was to have given before the Committee of the House of Commons, I had intended to propose a draftsman, for the Members of Parliament so to frame their Bills and Amendments that they might not conflict with the law past or current; and a *consolidator*, whose office it should be to insert at once all new law into the existing law, and take care that the new law should be so framed as to admit of such consolidation, without violating the cardinal rule *of not dislocating the fabric of the existing law, or abating from the terms of the incorporated law.*

This office would be of prime importance; it would be the test or touchstone of the fitness of the style of our Acts of Parliament, and lead, after no long space of time, to a convenient method, which would leave less and less to the arbitrement of the reviser, and the risk of collision with members of either House of Parliament.

The reviser should, as of course, report on each Bill. His jurisdiction should extend to the revision of the structure of the law, of the matter proper to the law of that sort, and necessary to make it complete, to the ordering of the matter of the law, to the verbal expression, and to the typographical expression.

The reports should be referred to the Committees on the Bill, which would be assisted by the Counsel of the House—an arrangement which would not conflict with the exact, punctual, and painstaking performance of the duty of revision, nor reduce the counsel either to drudge, or to perform the duty in a loose and perfunctory manner.

The work of revision would, in this way, be made to a great extent self-acting, free from the sense or opportunity of arbitrariness, while each House would have secured its independence and freedom from obnoxious control.

If, inadvertently or recklessly, good sense and convenience should be disregarded, the consequences would be discovered in the difficulties of consolidation, or in the miscarriages which would disclose themselves in the courts, and which would be brought to view by the Annual Report of the Judicial Decisions and Doctrine on Statutes.

Manifestly, the full success of these efforts would much depend on the consolidation of the past law; and the question now remains, to what manner of body should that duty be intrusted? I have always advocated a body like that of the Statute Law Commission, with, however, important differences.

It appeared to me important that the judges of the land should have a practical acquaintance with legislation, and some sympathy with the Legislature, as a branch of the same body politic. They have in times past been much oftener disposed to regard the statute law as a thing more to be repressed than encouraged; and, in conse-

quence, new laws have had to struggle not only with prejudice, but with antagonism. If the Legislature and the Judiciary were to act more as one body in the concoction of the law as a whole, or as a system, as opposed to meddling with special instances of legislation, this tendency would be moderated.

Accordingly, I had hoped that the Commission would be made to consist not only of the lawyer statesmen of both Houses, but, as in the case of the Chancery Commission, of some other statesmen, of the judges, of men like Lord Macaulay and Sir George Lewis, who had worked at this work, of the Speakers of both Houses, of the leading parliamentary officers, and of a small corps of able commissioners of different classes of lawyers, assisted by a working body, who should prepare the work for the Commission, without being in the first instance fettered by the authority of men, deservedly of great weight in all affairs of state, and the general matters of law and legislation, but who had not stopped to consider the arrangements and mechanism upon which the success of the art of law-making in no small measure depends.

I had hoped that, beginning with design, plan, specification, estimate, and engagements—following the work through regular stages of preparation,—of instruction,—collection of material,—solemn determination of governing questions,—reduction into the legislative form by proper official, legal, literary, and mechanical aid,—and finally, the sanction of Parliament in a regular manner—provision would be made for the regular and systematic conduct of this grand operation, from its initiation to its close; the judges and parliamentary men being the referees, determining openly and solemnly, as in court, with the aid of counsel, all the matters that would arise, and thus disencumbering the principle and policy of the literary and mechanical details, and the literary and mechanical details of the principle and policy.

Matters have not been so ordered, and I fear that many of the personages engaged in the work would not now be willing to act more earnestly in a task which has become, in a great measure, distasteful to them, as if it were hopeless and impracticable.

The course seems to be either to revert to the ancient usage of a Committee of Privy Council, with power to refer to the judges for matters of reference, and to Special Commissioners for matters of literary and mechanical detail, or to make a new Commission, of the fullest possible character, such as I have above indicated.

If the Government be reinforced, as suggested; if the Clerk of the Parliaments be reinforced; if the Houses be pleased to have Committees; the Commission, or Committee of Privy Council, would have a field narrower in the range of drudgery, but of vast importance, and of more obvious importance in the range of ascertaining, defining, and declaring what the law is.

The reference to the Courts in Westminster Hall to dispose of the weightier matters in solemn argument, and in a manner somewhat after the old manner of judicial resolution, would have the advantage

of familiarizing the Bar,—our future judges and members of Parliament,—with legal-legislative considerations, and preparing them for tasks for which our system at present makes no provision.

I have thus cursorily gone over the three subjects adverted to at the commencement of this paper; each of them is contributory to the others, each will require more or less of force, according to the degree of force given to the others; sometimes by way of equipoise, sometimes in a different way. The former, where the energy of the stronger division would overwhelm the weaker; the latter, where the business of detail being done by one, it is unnecessary to make provision for doing the same thing elsewhere.

I have preferred to make the office of Parliament the common laboratory of matters of current legislation, for that represents the three estates of the realm, and is more accessible to the public than a public office would be; it would be less repugnant to the jealousy of members of parliament, and, moreover, consistent with the position which the Clerk of the Parliaments holds as Custos of the Statutes, to which the work of classification and registration is an obvious incident.

It seems to me that we should every day regard more and more constitutional proprieties, taking care that they realize, as in former times, the very purposes of their existence, for it has been by the isolated and independent method of legislation that we have so much anomalousness to remove. This question of constitutionality is not at all at variance with the depositing of the power of the State more or less with one or other of the members of it: the means for business are the same, whatever the depository of the national will; and although the disregard of unconstitutionality may now and then give one or other the advantage of a start in favour of the greater watchfulness or vigour, yet it will be found that everybody has in turn lost far more inadvertently. It is, therefore, a matter of common interest to find the true platform; and I think that it will be probably found by giving to Parliament, in its common means or nexus, the Clerk of the Parliaments, the functions that I propose to assign to him as part of his office,—to the assistant of the Crown (Mr. Coulson) and the counsel to the two Houses, the revision of proposed laws as they affect themselves,—to the Privy Council, the brain, as it has been called, of the Crown, its proper place and function as depository of information and advice,—and, lastly, to the executive officers their proper function of execution.

Legal Education. By Herbert Broom, *Barrister-at-Law; Reader in Common Law to the Inns of Court.*

It is, I believe, now pretty generally admitted that some sort of special legal education and legal training should be gone through before a student who has kept his required terms, and in other respects conformed himself to the prescribed discipline of our Inns of Court, is

to be deemed qualified for admission to the Bar. Every adult member of the community, at all events, is presumed to know the law, and this presumption ought assuredly to apply with tenfold force and stringency to members of that profession usually designated as "learned." Is jurisprudence worthy of being called a science? Amongst continental nations (particularly France and Germany) it is deemed so. In the United States of America it is deemed so. Yet, I have sometimes doubted whether in our own country this concession in its favour would so readily and unreservedly be made.

Assuming, however, that law really does rank amongst the sciences, it would be hard to deny that for acquiring a knowledge of it systematic training and education are essential. Let us, therefore, briefly examine what this training and education actually are—under whose auspices they are regulated and administered—and offer some hints for their improvement. Certainly, as well in our Universities as at our Inns of Court, facilities now exist for obtaining sound instruction in the law which were formerly unknown. At Cambridge especially progress has been made towards remodelling the scheme of legal studies, and placing them on a basis more satisfactory and permanent. To obtain the degree of Bachelor of Laws at that university, an examination must now be passed in the ninth term of residence—candidates at which may obtain honours, or the ordinary degree—the honour-men being finally arranged in three classes. The subjects of examination for honours are fourfold, being Roman Law, the Elements of English Law, the Constitutional History of England, International Law and the History of Treaties.

Besides submitting himself to the examination, every candidate for honours is required to prepare an essay on some historical point of law, to be afterwards publicly recited, and he has also to discuss publicly a legal question with one of the examiners, who are the Regius Professor of Law and three members of the Senate chosen by the University.

To qualify, moreover, for the degree of LL.B., attendance must be given at the lectures of either the Regius or Downing Professor of Law during at least two terms.

In the scheme of legal studies thus devised and operative at Cambridge are apparent elements calculated to render it most beneficial. And not only are the specific subjects for the lectures and examinations happily selected, but a germ is sown for that habit of forensic disputation which *must* at a later period be acquired.

Much less progress, doubtless, has been made at Oxford than at Cambridge in the perfecting of legal studies, and yet we might well wonder that in that ancient seminary where Vacarius taught, and where in modern times the genius and eloquence of Blackstone so conspicuously shone, the study of jurisprudence and of the laws of England should be allowed to languish.

It would be quite unnecessary to specify all the various institutions at which law, according to some plan or other, is taught in this country. I would remind you, however, that in the London University, as well

at King's as at University College, its study has, during a long course of years, under able professors, been assiduously fostered and encouraged.

The nature of the system of educating for the Bar, which has been in operation for exactly six years at our Inns of Court, may be explained in very few words. Under this system instruction, by means of public lectures and private classes, is afforded to the students in each of the five following departments, viz. :—Equity; Common Law; Conveyancing, and the Law of Real Property; History and Constitutional Law; and Civil Law. A student at one of our Inns of Court, in order to be admissible to the Bar, besides keeping his terms according to prescribed routine, must either have attended during one whole year the public course of lectures of each of two of the readers, *or* must have undergone successfully the ordeal of a public examination conducted by the readers at Lincoln's Inn, under the sanction and superintendence of the Council of Legal Education. At this examination, honours, and a studentship of fifty guineas per annum, tenable for three years, may be obtained.

Now the objection forcibly put forward to this system is, that attendance at lectures merely, without any test of proficiency being applied, may qualify for a call to the Bar. Whatsoever weight be given to this objection, the system has, I apprehend, effected far more good than many, looking only at the statistical returns of attendances at the classes and examinations, might be at all willing to ascribe to it. It has, I am convinced, altered the tone of feeling amongst the students with reference to the importance of legal studies, and has stimulated not a few to engage in them, who, under the old, and it is to be hoped exploded system, would contentedly have eaten their way to the degree of the utter bar.

My object thus far has been to show that institutions amply sufficient for disseminating in all directions legal knowledge, and not ill-fitted for that purpose, do actually exist amongst us. What is wanting is, that they be brought, for the purposes of legal education, into more close connexion with each other, so that, for instance, the training at the universities may be designed as introductory to that, which, so far as regards the details and technicalities of law, must exclusively be taught at the central colleges in London. That such is the view entertained, and to some extent acted upon at Cambridge, I am well aware, but it is not so certain that the sister university is prepared altogether to adopt it, or that in other collegiate establishments the course pursued in legal instruction is meant as preliminary only, and to be ancillary to that which may afterwards be available at the Inns of Court. The suggestion just offered might, I conceive, be fully carried out by a mere interchange being made amongst the several legal professors of their programmes and prospectuses of lectures. And it is observable that when once a scheme of tuition, proceeding by proper gradations, had been resolved upon, no difficulty could afterwards be felt in satisfactorily developing it.

Why should not the various institutions, whereof I have enumerated

some only, which now profess to teach the law, act in so doing upon some common plan, and combine together in aiming at and striving to bring about the same end? It would also be very desirable to allow students not belonging to any Inn of Court to be present (subject to proper regulations) at the public lectures there delivered. This objection may possibly be offered to the suggestion, that superficial knowledge merely would be thus acquired. But does it not always depend upon the student himself, whether the knowledge derivable from lectures *shall* be superficial? And again, would it not be expedient, that before committing himself, as is now commonly done, to the systematic study of a profession so arduous as that of law, some facilities should be available to one who meditates the step? In this country the choice of a profession is too often made at haphazard—and many a man fails altogether, or turns aside disgusted from his work, because he has not very happily selected it. In regard to the legal profession, surely by adopting the suggestion offered, much might be done towards mitigating this evil, and if this were so, the profession itself would rise in dignity and importance, because those would more generally, than under the present system, be admitted into its ranks who had ascertained their special aptitudes for its prosecution.

I am strongly impressed with this conviction, that a compulsory test of fitness in respect of legal knowledge for practising at the Bar should be applied. I should myself be quite willing, in unison with the spirit of the age, and in conformity with the plan of examination for the Degree of Associate of Arts which has recently been put in operation, to extend to those who were not members of an Inn of Court the benefit of the legal examination, which would be compulsory upon those only who were so. The certificates of proficiency to be granted at this examination would have efficacy at least equal to that of the very highest testimonials, and would doubtless be deemed entitled to much weight in support of applications for consular appointments or civil offices, whether in India or elsewhere, which are not exclusively or usually held by members of the Bar. If the suggestion now made be taken in connexion with that for admitting the public to lectures at the Inns of Court, and these joint suggestions were acted on, very much, I think, might thus be done towards dispersing a true knowledge of law amongst the people, and gradually rendering the science itself productive of more practical results.

Another conviction which has impressed itself on my mind is this: that our existing law colleges—I mean the Inns of Court—are fully capable of superintending legal education, and not disinclined to do so, whether it be, as at present, strictly for the Bar, or erected on that broad basis to which reference has sufficiently been made. No novel scheme of education is ever very rapidly developed. It usually happens that the plan originally devised for it is found to be imperfect, or else changes have to be made in it gradually, as circumstances may make them needed. In the former of these predicaments the system of legal education is just now placed, and I think we may

look forward to changes being ere long effected in it, such as will satisfy even the most enlightened advocates of social progress. The creation of a department for superintending the administration of public justice would most surely accelerate the end in view, for, as incidental thereto, the mode of selecting for judicial offices would necessarily have to be revised, and merit would, more uniformly than now, be recognised as the true and sole index of fitness in an applicant. Yet I for one should look with alarm and jealousy at any interference, direct or indirect, by the Crown or Government, with the organization of our Inns of Court. Grievously, in days gone by, did their then splendid revenues suffer from contact with the Crown; and albeit the recurrence of such an evil need not henceforth be feared, one greater and more deadly would ensue were that confidence, now so justly reposed in the integrity and independence of the Bar, thus to become shaken or destroyed.

Holding, then, as I do, that no sweeping or violent reform is needed for working out a sound and effective system of legal education, I will conclude this paper with presenting for acceptance one other general proposition. As in the Continental Law-schools, so in our own, the principles of legal science should alone, or almost exclusively, be taught. Principles may be learnt in the lecture-room, the details of practice must be gathered in our Courts of Justice. Jurisprudence is to be taught as one connected whole, not in disjected fragments, but so that the relation of each of its departments to the rest may be appreciated and understood. It should thus be studied before the attempt is made at reducing it into practice, not afterwards. When this is effected, and not till then, will a sound system of legal education have been initiated amongst us, and the stigma will be wiped away that here, in the foremost country of the world, such a thing is neither taught nor recognised as the philosophy of law.

Although any one of the suggestions which have now been offered when taken singly, might seem quite inadequate for effecting the object which I have had in view, viz., the improvement, and more vigorous carrying out of the system of training and education for the Bar, I submit that in truth this would not be so, were they adopted and acted upon jointly. They may be enumerated thus:—that at institutions where jurisprudence or any branch of that science is professedly taught, the instruction given should be designed as preliminary and ancillary to that which will afterwards be received at our Inns of Court, should the recipient proceed thither. Exactly as the classical or mathematical curriculum of education at a public school, or at a private tutor's, is for the most part such as will qualify the student, when he has entered himself at one of our universities, for distinguishing himself there.

In the next place I have suggested that the lectures at our Inns of Court should, under fitting regulations, be thrown open generally to the public. By no means anticipating that many would avail themselves of the privilege of *entrée* thus conceded, yet thinking that good would nevertheless be done in enabling such as may purpose

embarking in an enterprise so onerous and perilous as the prosecution of the profession of the law, first to ascertain their own aptitude for that which they propose to do, or by discovering and becoming conscious, ere it be too late, of their own inaptitude to avoid the consequences of failure.

Then, in the next place, I would urge the importance of instituting and bringing stringently into action a scheme of compulsory examination for the Bar.

Lastly, I would suggest that law ought to be taught (and more uniformly perhaps than has yet been done) in like manner as other sciences are taught, by inculcating principles, by showing the connexion of each of its leading branches with the rest, and thus, it may be hoped, laying a foundation of sound and genuine professional knowledge, which nothing could afterwards disturb.

Professional Remuneration. By ANDREW EDGAR, *Barrister-at-Law.*

THERE can be little doubt that the mode in which law reform has hitherto been conducted in this country has been almost entirely empirical, and that it has consisted chiefly in the application of very obvious remedies to very obvious inconveniences. Statistical information as to the operation of existing laws has been wholly wanting, and recourse has but seldom been had to social or economical views in considering the various questions connected with the amendment of the law. The great bulk of the law reforms which have been accomplished during the last thirty years have proceeded from lawyers, whose habits and characteristics are seldom such as to lead them to attempt anything beyond a *modification* of established forms and rules.

We have now, however, arrived at a period in the progress of law amendment when the question must be considered with reference to far higher and wider principles than have hitherto prevailed amongst law reformers. The subject is now attracting the interest of the public, and *they* are not likely to be satisfied with any changes that fail to accommodate the law to the intellectual and social views of the present day. Of these views, none have a more powerful hold of the more intelligent portion of the community, than the leading doctrines of political economy, which have now been removed from the field of argument to that of experience. Now, not only does the old *protective* spirit still linger in many nooks and corners of the law, but several important rules of our jurisprudence would be greatly modified by the application of sound economical principles. It may, therefore, be fairly anticipated that as law amendment becomes more popular, the doctrines which have been successfully applied to other subjects will be also brought to bear on this.

The subject on which I now propose to make a few observations is,

perhaps, that which of all others most clearly illustrates the manner in which the most obvious principles of economical science have been violated by the provisions of the law. The mode in which attorneys are remunerated for their services plainly arose in times when it was thought just and expedient to fix the wages of labour and the price of food, and has only received such modifications as have been necessary to suit the altered practice of modern times; but so far from being changed in its essential spirit, a recent statute—the Attorneys and Solicitors Act of 1843—has extended the system of fixed charges enforced by law to a large class of business—that of conveyancing—which before that time was left to the ordinary principle of demand and supply.

For every species of professional business in which an attorney can be employed, the charges are fixed by authority. The attorney is strictly prohibited from charging at a higher rate than the tariff prescribes, and if he should attempt to do so, his bill will, on the application of the client, be reduced by an officer of the Court to the regular amount. Except in a very few cases, no regard is had in taxing an attorney's bill to the difficulty of the work he has performed, or to the responsibility he has incurred. The skill acquired by years of practice, the saving of trouble and expense by prudent negotiation, and the extent of benefit which the client may have received, are all valued by a mere mechanical standard, rigidly applied. It is, perhaps, not saying too much, that under such a system the best services are the worst paid for.

But not only is the mode of payment bad, from the charges being of a fixed character and without reference to the real services performed, it is still more objectionable from the manner in which those charges are made up. The charges apply to each step in the work performed. Every kind of business is divided by a minute process into its component parts, and each of these is separately charged for. Thus, the preparation of a lease is charged for in distinct sums for attendances, letters, drawing, copying, parchment, engrossing, stamping, &c.; and the price put upon each of these items neither corresponds to its real or marked value, nor is fairly proportioned to the others. In general it may be said that the higher labour is charged for too low, and the mere mechanical labour and materials too high. To increase the evil still further, written documents are paid for, with reference to the higher as well as the mere mechanical labour, according to their length. The profits of an attorney are thus in a great measure made to depend, not on his ability and energy, his knowledge of the law and his skill in managing the business of his clients, but on the inferior part of his labours, on the number of steps he can introduce into any proceeding, and on the length to which he can spin out the documents which he prepares.

Now, the natural result of such a system is that, as legal practitioners must obtain something like a proper remuneration for their services, they are compelled, in cases where the scales do not afford sufficient recompence for the real and necessary work, to charge at

the highest rate which the scales permit for work that is merely formal and mechanical, and even to do a great deal of work which is unnecessary, but which the scales allow them to charge for. As Lord Brougham justly observed in his great speech on law reform in 1828—'The necessary consequence of not suffering an attorney to be paid what he ought to receive for certain things is, that he is driven to do a number of needless things which he knows are always allowed as a matter of course; and the expense is thus increased to the client far beyond the mere gain which the attorney derives from it.' The propriety of attorneys remunerating themselves in this manner has been frequently sanctioned by the courts; and there can be little doubt that it is inseparable from any system of fixed fees resembling that which now prevails. But the evils of such a mode of obtaining adequate remuneration are enormous, leading as it does to an immense deal of unproductive labour, and affecting injuriously the administration of justice, and the whole of our legal proceedings. Its obvious tendency has been to make the law one great *circumlocution office*. Prolix and unintelligible documents, complicated procedure, useless copies, superfluous attendances, formality upon formality and step after step tending to increase the law's delay, are its necessary results. For all this the profession is commonly blamed; but the real cause is the injurious mode of remuneration which obtains, under which it may be very safely asserted that the profession suffers as much as the public. Undoubtedly the views and sentiments of lawyers have been in a great measure accommodated to the system, or rather generated by it, and they are seldom aware how opposed it is to all sound economical principle, and to their own real interests. It cannot be doubted, however, that the existing system of remuneration tends to lower the *status* of the profession, and to deprive it of many of its most valuable functions. With the vast and complicated system of jurisprudence which necessarily arises from the present state of society in this country, the most important social advantages would be derived from a greater facility in obtaining legal advice. But under the existing system of remuneration men are repelled from the lawyer's office, except under the pressure of necessity. There can be no question that much of the unwillingness to consult lawyers which undoubtedly exists, arises from a feeling of insecurity as to the consequences of such a step, and from the dread of litigation, which lawyers are considered as having an interest in encouraging. If attorneys were remunerated in such a manner that their profits were clearly derived from their real services, this feeling would cease, and the relation between a most important body of men and the public be altered for the better.

The attempt to regulate the wages of labour has been long abandoned as unsound, and no principle of political economy rests on a more firm basis than that which condemns all interference with the natural relations between employers and employed. There is no sufficient reason why the profession of the law should be made an exception to what has taken place in other employments. Attorneys

do not enjoy such a monopoly as makes it possible for them to impose their own terms on the public, but are individually subject to a competition as keen and pervading as exists in any other pursuit. As officers of the courts, it cannot be fairly considered that they should be under such strict regulations as to their charges as at present exist, and this character by no means determines the position in which they stand with reference to their clients at the present day. With regard to the nature of the work which they have to perform, there is nothing which renders it necessary to fix by law the rate of payment; and if for any items of legal work fixed charges would be most advantageous for all parties, experience would soon ascertain, under an open system, what services were the proper subjects for such charges, and what the amount of such charges should be. Under such a system the market value of the services of an attorney would as easily ascertain itself as in the case of any other employment where skilled labour is required; and the mode of payment, whether by a per centage or otherwise, would speedily be determined on obvious considerations of convenience. Nor would the public, when they had once the remuneration of attorneys in their own hands, fail to acquire a much more adequate notion of the true value of legal services than is commonly possessed under the existing system, of which the object seems to be to hoodwink the client as much as to tie up the hands of the attorney. If the matter were put on a proper economical basis, it may be safely asserted—looking to principles which are found operative everywhere else—that the client would get more for his good money and the attorney be better paid for his real services.

Nothing, indeed, can be more delusive as a protection to the client than the present system of taxation. 'So far,' said Mr. Lake, an eminent solicitor, in his examination before the Chancery Commission, 'so far from the taxing of solicitors' bills affording any protection, a knave can make out a better bill than an honest man. I will undertake to say that a knave might make out a bill that no taxing-master could touch.' And so it is sure to be in every case where an artificial mode of payment is introduced instead of the natural one. The strict limitation of charges, and the appropriation of them to certain items, which was intended for the security of the employer, is the very best device in the world for running up long bills and making overcharges safely. Whatever danger there might be under an open system, where a knave had a fool for his client, the evil would be small indeed in comparison with that arising from the present mode of remuneration, which in all cases affords the strongest temptation to take advantage of the client and the likeliest means of doing so.

An approximation towards a better system has already been made in Scotland, where conveyancing business is paid for by a per centage on the value of the property dealt with. This is certainly a much more rational mode of paying for such business than according to the mere length of the deeds. As the legal agent in Scotland has thus no motive in such a case to go one hair's-breadth beyond what is strictly necessary, it is understood that agreements are frequently

made for the performance of the work at a lower rate than that sanctioned by law. And this would no doubt be very commonly the case in every branch of legal business under any system which properly remunerated the attorney for his real and necessary services, and which allowed him to aim at expedition and conciseness. In some of the States of the American Union the remuneration of attorneys is left entirely open, and then the system of agreements has been generally adopted, and has been found to work most advantageously for all parties.

Unquestionably a system entirely open, under which everything would find its proper level, and every service its proper price, would ultimately prove the most complete remedy for the evils of which the public has long complained, and under which the profession has deeply suffered. But inasmuch as the adoption at once of an entirely new system might lead to much temporary inconvenience, and perhaps to some serious evils, something in the nature of a compromise might be most practically beneficial. It is submitted, therefore—

First, that in all cases where an agreement with reference to remuneration has been entered into between an attorney and his client, such agreement should be binding on the latter, as well where it exceeds as where it is below the amount that would be allowed on taxation, unless he can show fraud on the part of the attorney.

Secondly, that the scales of costs for the different kinds of legal business should be formed on the principle of properly remunerating the attorney for his real services, and of paying him for what is merely mechanical and formal at its strict value.

Lastly, that large discretionary powers should in all cases be given to the taxing-masters, with reference to the real value of the services rendered, and the responsibility incurred.

A system of remuneration based on these general principles would, without violently disturbing existing interests by its novelty, remedy most of the evils which now press both on the public and the profession.

Free Trade in Land; a Few Suggestions on the Expediency of Facilitating Sale and Transfer of Land in Great Britain. By John Locke, A.R., F.S.S.L., *Dublin.*

The beneficial effects, social and economic, resulting from the liberation of land from legal restrictions in Ireland, are now proven facts, awaiting the historian's pen; and the principles of the statute of 1849, commonly called 'the Encumbered Estates Act,' which was enacted ostensibly to meet a temporary emergency, are inwoven into the theory of imperial jurisprudence by the act of last session for facilitating sale and transfer of land, whether encumbered or not, in Ireland.

It becomes, therefore, a matter of vast social importance to inquire how far a system that experience has removed out of the category of exception into that of general application in one country, is suitable to the circumstances and requirements of the sister island.

In 1846, and subsequent years, Ireland was prostrate under the scourges of famine and pestilence, and their terrible accompaniments. Trade was languishing, commerce scarcely existed, except in the exhaustive demand for foreign breadstuffs; agriculture was totally paralysed; the great majority of the landed proprietary on the brink of insolvency; and the adult tenantry and labourers emigrating in such numbers, as to suggest the epithet of a national exodus.

In January, 1850, came the first sale under the Encumbered Estates Court; and, though the inclination of the balance from the weight of impending ruin to recovery was scarcely apparent for two years after the organization of that abnormal tribunal, nevertheless its unmitigated justice, framed rather upon necessity than equity, slowly, but surely, laid the foundation of returning prosperity, which became more clearly patent when the land-market had recovered from panic, and landowners created fictitious charges, to enable them to buy in their estates, or to clear them from encumbrances by sale of outlying parcels; and then, undeterred by tedious delays and heavy commission, to borrow money for their improvement, at moderate interest, under the unquestionable guarantee of a parliamentary title. No less than 1400 petitions have been filed by owners, the proportion increasing from six, or one-sixteenth in the first hundred, to forty-seven owners, or nearly one-half, in the last hundred petitions, which, according to the statistics lately issued, have closed the eventful career of the Commission.

This last-mentioned fact proves to any reflective mind the prudence and fitness of extending the same facilities to solvent as to encumbered proprietors.

Where the hammer of the Commission fell, the nominal owner and Chancery receiver disappeared, and wearisome and wasteful litigations were abruptly terminated. That a large proportion of the 3500 petitions fiated referred to those merely nominal owners, may be conjectured from the fact that 1300 Chancery causes have been terminated in nine years, by sale of the litigated estates in the Encumbered Estates Court. Validity of title encouraged the outlay of capital by solvent incoming landlords, while security of enjoying the fruits of their toil energized the industry of tenants, and doubled wages formed the strongest, because material, warranty for the labourer's honest work. Needy creditors, annuitants, and jointresses, were delivered from the medley of law proceedings, and promptly paid according to priority of claim; and I have observed many instances of younger branches of families, who had received their charges in one sum, and occasionally proprietors, who had netted a residue after settlement of final schedule, at once engaging in colonial enterprise, or industrial pursuits of some kind, which their former constrained and vexatious position would never have permitted.

One remarkable benefit, indirectly consequent upon affording security, economy, and rapidity in the acquisition of real property, has been the facilitation of dealings between landlord and tenant. In legislating between classes, all that a government ought to do, is to remove legal restrictions and impediments, and leave the contracting parties free. Tenant-right is but an empty name, where the land-market is unrestricted, and, under such circumstances, landlords will be found seeking for solvent tenants, as well as tenants for liberal landlords. And so it is partially exemplified in Ireland now. What appears to be essential to completeness of the new land tribunal, is a more full registration, including maps, and extended to derivative interests, to the limit of a twenty-one years' leasehold. Such memorials would furnish ample and valid substitutes in case of loss of the original instrument. Sir John Romilly's Registration of Titles Act, passed in 1850, and intended for this consummation, has remained a dead letter to this day; although Ireland possesses a machinery peculiarly adapted for carrying the system into operation, in a well organized repertory for records of deeds—a general survey on a uniform scale of measure—and a general valuation on a fixed standard of values. Had there existed such a plan of registration in 1850, as then suggested by experienced and competent witnesses, we should now have mapped records of real property, comprising about one-eighth of the available superficies of the island, and representing some twenty-three millions of value, registered under memorials of the Encumbered Estates Court Conveyances. It is likewise important to state, that if these memorials had been complete transcripts of the original deeds, they would have also served as a registry for leasehold interests; for to every conveyance is attached a schedule setting forth the names and tenures of tenants. Argument is scarcely necessary to convince of the advantage of pictorial representation over mere verbal description, (however minute in detail,) both in facility of identification by nomenclature, and the eye, and convenience of indexing, for authentication of parcels.

Any system, devised for simplifying and facilitating the land-market, will be incomplete without an adequate registration; and every passing year will increase the difficulties, without obviating the necessity, of its adoption.

A few words will not be inappropriate, before an English audience, to explain why the Encumbered Estates Commission, at first so distasteful to legal practitioners, afterwards won their almost unanimous favour. The procedure of the Commission was at first too hastily construed as involving injury to real property lawyers and eminent solicitors, by the fundamental change of practice, and consequent extinction of Chancery suits; but, after some years, when experience demonstrated that legal business, though partially diverted from the old channels, came to be more widely distributed; transactions less in value, but more numerous; suits sooner closed; and costs, though moderate, punctually paid; more debts recovered; more loans negotiated; and, lastly, the growing prosperity of the

market contributing to multiply minor legal contracts relative to land; all these consequences, besides their reactive effect upon Chancery reform, were seen to be more really beneficial, by increasing the aggregate value of professional employment, than the indefinitely deferred uncertainties of the old system; under which, though large fortunes might be amassed, and high reputations established, yet considerable sums had to be advanced; and successful issue was often deferred, until the grave closed alike over the expectation of clients, and the ambition of counsel. In professions, as in trades, works of the hand, or the head, or of both combined, the cheaper the product, the more advantageous ultimately for all parties, provided the article be genuine and good.

It is now to be inquired whether analogous wants imply the expediency of extending to Great Britain those benefits, experienced in Ireland by the establishment of an unrestricted land market. It is an error, built on prejudice, to imagine that security of real estate 'depends on the fetters with which all freedom of action respecting it is tied up and restrained;' and, if sale and transfer are restricted here, and free at the other side of the channel, British property will manifestly be placed at disadvantage in the market, and discordant legal practice must entail considerable inconvenience on both countries.

The necessity for such a measure does not, indeed, exist in the same degree as in Ireland in 1850, when the Encumbered Estates Commission 'struck the long trembling balance of hereditary insolvency;' neither has that necessity been developed in disastrous prominence by pestilence and famine. But, are there not many estates on this side of the channel mismanaged under an alien stewardship, and profitable only to lawyers and money-lenders, a burthen and a snare to their nominal owners, who would gladly sell a part, or all, in order to rid themselves of vexatious embarrassments, that disable them from fulfilling the duties and responsibilities of landed proprietors, and, at the same time, dishearten them in the pursuit of professions, or other useful avocations? Are not the just claims of many annuitants and needy creditors postponed, or altogether lost to the living claimant, by the obstructions of the law? In short, is it not true that every year titles are becoming more complex and involved, by reason of multiplied settlements, limitations, and charges, until their investigation has become so costly, tedious, and uncertain, as frequently to prevent the sale of property, however hopelessly encumbered, and thus perpetuate an incapacitated ownership to the general detriment of society? Can there exist a doubt that the fixation of title, and disposal of estates thus circumstanced among solvent purchasers would produce analogous benefits to those manifested in Ireland; and, on the other hand, that the superabounding capital of urban districts would flow freely into the new channels of expenditure, increasing the productiveness of the soil, and *safely* satisfying that ardent desire for the acquirement of land characteristic of the trading classes.

The relations of the distribution of real property, the centralization of wealth, and the division of labour, co-existing in marked contrast in the England of our days, are unprecedented in the history of civilization, and fraught with peril, though the cloud be unmarked in the sunshine of prosperity.

A fitly-devised measure for facilitating sale and transfer of land, while liberating the landed aristocracy, and especially encumbered owners, from disabilities (often erroneously deemed privileges), will dispel from the minds of the masses jealousy and distrust of the exclusiveness of a proprietary class. Wealth will naturally flow to the land, in large and small parcels, to suit marketable requirements; and, where ready means offer of again realizing their capital, bankers and other capitalists will resort to agricultural investment, even as a *temporary* speculation. Production, therefore, would be largely increased, and the tendency to excess of population in towns relieved by a more general and healthful attraction to agricultural pursuits.

The beneficial effects of partially liberating the Irish land-market from restriction have been so obvious as to induce the legislature to confirm, by positive enactment, those facilities, at first applied only to exceptional cases. And a measure, originated by the stern justice of necessity, has issued in a prosperity that few anticipated, and none expected as of so speedy attainment.

It is submitted that the Irish Land Sales Court affords safe example and authentic precedent for the establishment of tribunals with similar functions in England and Scotland; and that such tribunals, under the ratification of a public opinion, educated and experienced on the subject, will, by their fitness, economy, and facility of procedure, ultimately gain, together with popular approval, the unanimous sanction of the bar and the aristocracy of Great Britain.

Statement of the Proceedings of the Special Committee of the Association on Bankruptcy and Insolvency. By G. W. Hastings, LL.B., *Barrister-at-Law, Chairman.*

THE special committee of this Association on Bankruptcy and Insolvency met yesterday, and framed certain resolutions, which I shall move at the close of my remarks. They requested me to preface those resolutions by a statement of what they had done since they were appointed by the Association last year; and to give you the reasons for the course they have adopted. At the meeting of this Association in October, 1857, at Birmingham, Lord John Russell presided over the Jurisprudence Department, and upon that occasion a considerable number of papers were read on the subject of Bankruptcy and Insolvency; a long discussion took place, and much difference of opinion was unquestionably shown to exist. At the end of the discussion Lord John Russell proposed, that in order that

those conflicting opinions might, if possible, be brought into harmony with each other, and that some measure really representing the views of the mercantile community throughout the kingdom might be prepared, a special committee on Bankruptcy and Insolvency should be appointed by the Association. On Friday, the last day of the meeting, his lordship accordingly moved that such a committee should be appointed; and he proposed it should consist of two delegates from every Chamber of Commerce and Trade Protection Society in the kingdom which might think fit to send them, and of three delegates appointed by the Association itself. That committee met at Birmingham in the succeeding month of November. They sat two days, and discussed the whole subject of Bankruptcy and Insolvency in the most careful and elaborate manner, and at the conclusion of that discussion they arrived at certain resolutions as the basis of a Bankruptcy Bill. They then proceeded to the appointment of a sub-committee, which was charged with the preparation of the measure. That sub-committee met in London upon many occasions, and I may be permitted to say—though I had the honour of occupying the post of chairman—that they attended to their work very assiduously for several months; and whatever view the department may take to-day, the sub-committee at any rate cannot be reproached with having neglected the task entrusted to them.

Now, I will first glance at the existing system of bankruptcy, at the evils complained of, and the remedies generally proposed. We all know that our present bankruptcy system owes its origin to the great change made by Lord Brougham's act in 1831, which was intended to strike at an evil then unquestionably existing, and which had excited the animadversion of even so steadfast a conservative as Lord Eldon. There was an almost utter want of control over bankruptcy proceedings, and consequently complaints of fraud, and of delay in dividing the estate. It is unnecessary for me to say that Lord Brougham met those evils by establishing a regular bankruptcy system, with separate and fixed tribunals, and an official assignee to get in the estate. That system has been in force up to the present time, no doubt with occasional alterations, most of which I think were brought forward by Lord Brougham himself, but substantially it has remained unchanged, and its leading principles unchallenged. But it very often occurs, when a new system is established in order to remedy some great evil, that fresh evils of an opposite character arise in that very system, which themselves in turn require to be remedied. So it has been with bankrupt law reform. Several defects have come to light in the existing law, and it would be useless to deny that great dissatisfaction is felt with regard to them. The fact of this gathering to-day, the number of delegates who are here from Chambers of Commerce and Trade Protection Societies in all parts of the country, the meetings which have been held, and the discussions which have taken place, are in themselves quite sufficient to show that there is a deep-seated feeling in the minds of the mercantile community that there are evils in

the present bankruptcy system which require a prompt and searching remedy. Now, the first of these evils is the expense. There can be no question that the expense of bankruptcy proceedings is very much greater than any litigation of the kind ought to be, for a Court of Bankruptcy, above all others, ought not to be an expensive court; because it was established for the express purpose of dividing amongst the creditors the property of the bankrupt (or, to speak more truly, the property of the creditors,) in as cheap a way as can be done, regard being had to justice, and to the efficiency of the court. There have been statements put forward with regard to the actual expenses of bankruptcy. I do not vouch for the accuracy of any of them; probably there is no person in the kingdom who is able to form a really accurate estimate of what those expenses are, because until some competent system of judicial statistics is established, we shall have no methodical record of the proceedings of any court, or of the cost at which they are conducted. But several calculations have been made with regard to the cost of bankruptcy proceedings, which may be taken as an approximation to the truth. At the Mercantile Law Conference, in 1857, Mr. Commissioner Ayrton, of Leeds, read a paper on the subject, and, as he confined his observations entirely to his own court, I think we may suppose that the information he gives is likely to be accurate. He says that during three and a half years the number of bankruptcies was 121; the amount collected, 90,627*l.*, and the amount divided amongst the creditors, 44,377*l.* Now, that makes the cost of working the court something approaching to fifty per cent.; but it seems to me that there must be reductions made from that, because I don't observe that Mr. Commissioner Ayrton makes any allowance here for preferential payments. Then, again, Mr. Harrison, a clerk in the official assignee's office at Birmingham, prepared a statement of the expenses of the court there, according to which the average expenses of working the court amounted to forty-nine per cent. On the other hand, Mr. William Hawes, who was present at our meeting at Birmingham last year, and took part in the discussions, said he had gone carefully through the statistics of the London bankruptcy proceedings, and he was prepared to state that the average expenses in London did not exceed sixteen or seventeen per cent. Now, I don't know—and therefore only tell you for as much as it is worth—what are the facts upon which Mr. Hawes arrived at that conclusion; I only heard his statement at Birmingham, but I should not be at all surprised if it is very nearly the truth, and if the expense of working the bankruptcy courts in London does present a very great contrast with the expense of the courts in the provinces.

But making allowance for these different estimates, it is certain that the average cost of bankruptcy proceedings is much greater than it ought to be; and it must be remembered that as many of the payments are fixed in their amount, this average does not represent the hardship to small estates, on which the fees of court fall most heavily. In such cases the tax becomes oppressive, and it acts as

a positive prohibition against estates below a certain figure. I do not hesitate to say that in small cases creditors are driven from the court.

On this part of the subject I must allude to that return of the Scotch Accountant-General, which my Lord Brougham has already mentioned. I have a short abstract of it in my hand, prepared by a Scotch advocate, and published in the *Edinburgh Journal of Jurisprudence*, and it appears that the Accountant-General, after giving minute statistics of the sequestration business in the Scotch Courts, states the average expense to be twelve per cent. on the realized assets. The writer in the journal states that, after making some deductions, it should be put as low as eight per cent.; but taking it at the higher figure, it will be seen that the Scotch system, on the important point of cheapness, is far in advance of our own.

But what constitutes the expense in this country? First come the compensations and annuities paid to former officers, and secondly, the salaries of the present judges and officers, which are both charged on the fees of the court. Mr. Commissioner Ayrton observed, in that paper to which I have already alluded, that the Court of Bankruptcy is now paying two sets of officers—the old set abolished in 1831, and the new set appointed since. Surely, it must be admitted by all that there is no reason whatever why the present suitors in Bankruptcy are to pay those annuities, and we have provided in our bill for the transfer of the whole of them (now amounting to about 25,000*l.*) to the Consolidated Fund.

As to the salaries of the judges and other officers, there is not so great a unanimity, some thinking that they should be defrayed by the suitors. Now, I cannot understand why a different rule should be applied to a court of bankruptcy from that which is applied to every other court. I have heard it alleged that the suitors in bankruptcy ought to pay the salaries of the judges and officers, because the Court of Bankruptcy is a court of administration; well, so is the Court of Chancery, and yet the judges of that court are paid out of the Consolidated Fund. But the Court of Bankruptcy is not merely a court of administration; it is a court of justice—a court existing for the purpose of dealing out punishment to delinquents; and upon these grounds we contend that the salaries of its officers should be defrayed out of the public purse. I would allude for one moment to a very striking work on Law Taxes, written many years ago by Jeremy Bentham, and recently republished, and of which both William Pitt and Wyndham said in the House that its arguments amounted to demonstration, and it conclusively proved that the costs of every court ought to be paid out of the public funds, so that justice might be dealt out freely to every citizen who was under the necessity of applying for it.

Passing from the subject of expense, I come to another evil in the present system—the small control which the creditors are allowed over the management of the mercantile part of the proceedings in the bankruptcy. I for one have not the slightest wish that creditors should interfere with the judicial portion of those proceedings. I consider that the two should always be kept distinct, and the latter

in the hands of a highly paid and competent judge; but if it is true that the judicial part of the bankruptcy should be in legal hands, it is equally so that the mercantile part should as far as possible be in the hands of those who are interested in the distribution of the estate—I mean the creditors. The public are interested in having justice properly administered in the court, but in the distribution of the estate it is the creditors who are interested. They are the most likely to look after it efficiently: it must be their object to have it divided cheaply, rapidly, and honestly; and if they are dead to their self-interest, and neglect their obvious duties, they must stand the penalty.

Now that is one great principle which we have kept in view in framing our Bill; we have endeavoured to draw a broad line between the judicial and the mercantile elements in bankruptcy administration. We propose that at the first meeting of creditors after adjudication has been filed, they shall proceed to the election of a creditors' assignee, and that that creditors' assignee shall take the functions of a trustee in a Scotch Sequestration, and manage, subject to the supervision of the court, the realization and distribution of the assets. But inasmuch as in our opinion there is a defect in the Scotch system, that it does not provide for a permanent officer of the court to take and keep possession of the estate, we wish to retain that most valuable officer, the official assignee, who will, the instant adjudication has been filed, take possession of the estate and have it under his control. We further propose that the creditors shall have it in their power to elect the official assignee as creditors' assignee. We believe that whenever the official assignee is really competent for his duties, which unfortunately cannot be said of all the persons now filling that office, he will be considered by the creditors as the person most fitted by experience and position to manage the estate, and will therefore, for their own sake, be generally elected by them. We consider that it is a great advantage to traders to have attached to the court a permanent officer versed in the mode of getting in an estate, and of dividing it as cheaply and expeditiously as possible. We propose that for his regular official duties he shall be paid by a fixed salary, and that he shall have in addition such per-centage as the creditors may agree to give him in every case in which he is chosen as creditors' assignee. One great benefit which would result would be, that we should ensure the appointment of competent persons to the office of official assignee. It is impossible for any one who knows the present condition of our courts of bankruptcy to blink the fact—and it is most undesirable to blink it—that official assignees, though as a body they are able and very respectable men, have amongst them men who are not efficient for the office which they hold. I remember hearing—and Lord Brougham will correct me if I am wrong—that when his lordship made the original appointments of official assignees, he wrote a letter to the governor of the Bank of England, asking him to recommend a certain number of persons whom he considered fitted to fill that office. [Lord Brougham: I appointed a committee of twenty persons; the Governor of the Bank of England being one, the Chairman of the

India Company another, and all the great mercantile firms in the city sending the other eighteen; and they were to examine the various testimonials of the candidates for the office of official assignee, about 1400 or 1500 in number, the number of the candidates being above fifty or sixty, and the testimonials from all parts of the city. Almost every one was supposed to be a perfect man, almost every testimonial being perfect; and I therefore referred them to the committee to examine into the whole matter, under instructions, one of which was, that they were not to reject a man as official assignee merely because he had had the misfortune himself to pass through the Court of Bankruptcy, but in every such case they were to call upon the solicitor under the commission and the assignees under the commission, and examine them strictly, and I thought it might very likely be found that if there were no other disqualification he might even prove to be better fitted for the office; and accordingly one or two of the very best of those who were chosen have had the misfortune to have passed through the Bankruptcy Court themselves. The committee reported to me sixty names, and I chose as official assignees the first six names upon the list.] I am exceedingly glad that I alluded to the matter, because it has brought forward a very interesting explanation from Lord Brougham. My object in alluding to it was to show that it is necessary—at any rate, Lord Brougham deemed it necessary—that there should be some competent testimony as to the fitness of the persons who were to fill the office. [Lord Brougham: The only defaulter—and he was a defaulter to a very large amount—was the only person who had not been on the list of the sixty recommended. He had been nominally upon the list of sixty, but in reality he was recommended by the Admiralty and Treasury as being a perfectly unexceptionable person. We relied so much upon those high authorities that we could not be sufficiently grateful for the accident that gave us the possibility of appointing such a person to the office.] It is absolutely necessary in the appointment of official assignee that great care should be taken to select a person fit for the duties of the office, and some independent method of appointment should be had recourse to for that purpose. Now what I contend is, that our plan would answer the same end. We want to strike at the root of the evil. We don't want to trust to Lord Chancellors to adopt such a plan as that which was adopted by Lord Brougham. We want to bring to bear upon the appointment the simple rule of self-interest. Under our Bill a useless person would not be appointed, because in that case the office would be hardly worth holding. This seems to me the best way of securing a proper exercise of patronage; make an official's pay depend on his efficiency, and incompetent candidates will soon cease to apply.

We also propose that the mode of payment of the dividend should be improved, and that in all respects we should endeavour to lessen the expense of administration in the Courts of Bankruptcy, by diminishing the number of meetings of creditors, and in fact all technical stages of the process. But even supposing that we succeeded in

reducing to a moderate amount the expenses of the court, and in placing the mercantile portion of the bankruptcy in the hands of the creditors, there will remain another great defect in our present system—namely, the want of an adequate provision for the local administration of the bankrupt law. After mature deliberation, the proposal to grant to the County Courts power to file adjudications was decidedly negatived. We therefore propose that in all cases adjudication shall be filed in the Court of Bankruptcy as it is at present, but that the creditors shall have the power at their first meeting to remove the adjudication into the County Court by vote.

With regard to the other portions of our Bill. In the first place, it is a consolidating bill—that is, it purports to repeal every act in existence, either on bankruptcy or insolvency, and bring the whole statute law on the subject into one act. In the next place, it transfers all compensations and salaries to the Consolidated Fund. In the third place, it abolishes the distinctions that at present exist between bankruptcy and insolvency. It proposes that the Insolvency Court in London should be abolished, and that its functions should be transferred to the Court of Bankruptcy. We are unable to understand why it is necessary to keep up two separate Courts for the administration of what is after all the same branch of law. We have heard it alleged that cases of insolvency are very often of a nature very different from those in the Court of Bankruptcy. That is the case in all Courts. All Courts try cases of different kinds, and there is no reason why arrangements should not be made to hear insolvency cases on different days, or before a different commissioner. What we object to is, the keeping up of two separate and expensive Courts for the administration of what ought to be one branch of the law. We also propose to abolish the distinction between trader and non-trader, and to allow any person to apply for adjudication in a Court of Bankruptcy, in whatever state of life he may be, whether in a profession or a trade. If there be an objection to submitting peers of the realm and members of parliament to that law, then it will be very easy to make an exception in favour of those two classes. But with regard to other classes of persons, it is an entire anomaly to keep up these distinctions. Why should the physician, who writes prescriptions, be sent to one Court, whilst the apothecary, who dispenses the medicines, is sent to another? Why should an attorney go to one Court as an attorney, and to another under the technical name of a scrivener? Why should such absurdities be allowed as happened in the case of a solicitor not long ago, where he filed his adjudication in bankruptcy under the name of a horse-dealer? or in a case which came under my own knowledge, of a medical man who had had the misfortune to be a shareholder in the British Bank, and was unable to go through the Court of Bankruptcy, to obtain relief from all the immense burden of debt which fell upon him through that misfortune, simply because he had never dispensed medicines, but only written prescriptions? If that man had only on one or two occasions dispensed medicines to his patients, he would

have been able to go through the Court of Bankruptcy. As it was, however, the Insolvency Court was the only remedy, and the Insolvency Court could not free him from debt. My lord reminds me that there are no distinctions of that sort in Scotland, and as no inconvenience is felt there, I think we may very safely conclude that no harm would result from the change in this country.

We also propose to enable the estate of a deceased insolvent to be wound up in the Bankruptcy Court. That is also the law in Scotland, and we cannot understand why it is not the law here. There were clauses to that effect in the Bill of 1849, and they passed a second reading, but were withdrawn upon an assurance from Lord Cottenham, that he would introduce a separate measure for the purpose; but he went out of office shortly afterwards, and the reform which was then allowed to be necessary, useful, and expedient has not been carried out to the present day. We have embodied similar provisions in our bill. We do not say that they are not capable of improvement, but I trust they will ultimately pass into law in the best shape that can be devised.

I will proceed now to state what we propose to do with regard to voluntary settlements. One of our resolutions passed at Birmingham, was to the effect that it was expedient to give facilities for settlements out of court between creditors and debtors, but at the same time it was very strongly felt that in arrangements of that sort it was absolutely necessary to establish some provision against fraud; therefore, we propose that in all cases in which these voluntary settlements are made between creditors and debtors, they shall be registered in the court of the district, and that the debtor shall be made subject to the jurisdiction of the court, which shall have power to examine him, and to enforce the trusts of the deed; and that the record of the settlement shall always remain in the court, ready for inspection on behalf of any of those who may need it. We consider that registration to be one of the most important features of the Bill, and we believe that unless some such system is adopted, in all cases of voluntary settlements, these will lead to a great deal of fraud and dishonesty. There is one point which I should like to allude to, in reference to proceedings in court, and that is the certificate. We propose that the classification of certificates shall be altogether abolished, and that one simple certificate shall be given when the bankrupt has passed to the satisfaction of the court. It was originally proposed that the granting of that certificate should be to some degree in the power of the creditors. But in order to keep the mercantile and judicial elements distinct, it ought to be entirely in the hands of the Commissioner. It should be for him to say, not merely whether the bankrupt has satisfied his creditors, but whether he has done all that he was bound to do, and whether he is a honest bankrupt; and if so, to give him a certificate. I am glad that the Committee, on further consideration, resolved to alter that portion of the Bill, which was accordingly done: the granting of the certificate according to our Bill now rests entirely in the hands of the judge.

I have only further to say, with regard to our own measure, that we have endeavoured to make the penal clauses more stringent than they are at present, and to give every facility for the prosecution of fraudulent and dishonest bankrupts.

That is an outline of the Bill which the committee, under the direction of the delegates, have prepared, and the committee hope that they will be re-appointed and empowered to obtain the enactment of that Bill into law. We are ready to hear every objection that can be urged against it; we are ready to answer any question that may be put concerning it. I am most anxious to state that the committee do not say that the Bill is perfect; they do not say that it is not open to modification and improvement; but they do say that in its general principles it is sound; that it is what the Association will approve of, and what we ought to ask the Legislature to pass into law.

After we had prepared our Bill, the committee saw Lord John Russell, who had taken a great interest in the preparation of the measure, and he undertook to introduce the Bill into the House of Commons.

The Lord Chancellor has laid upon the table of the House of Lords another measure, which we must of course take as an expression of opinion on the part of the present Government of what bankrupt law amendment ought to be. I shall be prepared to move that that measure does not meet the requirements of the mercantile community, and that we cannot give it our support. The great difference between the Lord Chancellor's Bill and ours is, that our Bill endeavours to improve the Court of Bankruptcy, to make that Court a place where justice shall be administered in such a way, and brought into such a form, that creditors shall be glad to go there. The Lord Chancellor proceeds upon an entirely different plan. He keeps the Court of Bankruptcy almost entirely in its present state, the alterations he makes being extremely slight. He does not propose to diminish the expenses; he does not propose to transfer any of the compensations, or any of the salaries, to the Consolidated Fund; nor does he propose to give the creditors any further power over the bankruptcy than that which they at present possess. He proposes to establish a system called liquidation, to enable creditors to wind up an insolvent estate in their own way. If that be desirable, why not adapt the procedure of the Court to the purpose? Otherwise, why keep up the Court at all, after admitting that its working is so defective that creditors will not go there, and that they require a new system in its place?

There are several other points of the Lord Chancellor's Bill to which I object, but they are matters of detail; and it is not necessary for me to go into them at present. I do not think the mode of paying the dividends is at all improved by it. It leaves out, too, all provision for registration, which we thought one of the most important matters we could embrace in our measure. And, finally, it makes no provision at all for any further local justice in bankruptcy. Now these seem to me to be the salient points in which the Lord Chancellor's Bill differs from ours; and really, speaking im-

partially, not biassed by any favour for our own work, I think in every one of those points the Government measure is far inferior to the Bill which our committee have agreed upon. Under these circumstances I shall move as one of the resolutions, that we stand by our own measure, not necessarily as perfect, but as a whole being at any rate very much better than the Lord Chancellor's Bill. The first resolution is, that "in the opinion of this department, any measure for the amendment of the Bankrupt Law ought to provide for the following reforms :—

First, the transfer of the compensations and salaries now charged on the estates under adjudication to the Consolidated Fund.

Second, a diminution of the entire costs of the court, by a reform of the mode of administering justice therein.

Third, a consolidation of the statute laws relating to bankruptcy and insolvency under a single jurisdiction, the abolition of the distinction in the administration of the estates of insolvent traders and non-traders, and the winding-up in bankruptcy of the estates of deceased insolvents.

Fourth, to give all due facilities to voluntary settlements, providing for their registration in court.

Fifth, to assimilate the proceedings in court, as far as possible, to those of a settlement out of court.

Sixth, to provide greater local facilities for the administration of justice in bankruptcy."*

Of course this resolution, which was agreed to by the committee yesterday, and framed by them for the purpose of being submitted to you, must be taken together with the observations which I have made, and which, I believe, represent pretty fairly the views of the great body of the committee. The resolution is necessarily somewhat short, and, taken simply by itself, may be thought to mean something more than we ourselves aim at; but it must be understood with the explanation which I have given. With these observations I will leave the matter in your hands. I know that there are many men here understanding this subject most thoroughly—men representing very important bodies in all parts of the country; and I trust we shall hear their opinions fully and fairly stated to-day, and endeavour, as far as possible, to arrive at a unanimous conclusion; but that in order to arrive at that unanimity, we shall not sacrifice any one of the opinions by which we feel bound to abide.

Registration of Partnerships. By Charles Bousfield, *Leeds.*

The Registration of Partnerships has engaged the consideration of the various Chambers of Commerce, and other mercantile associations, for some considerable time. When we remember that the prosperity

* For the other resolutions, see the Summary of Proceedings, page 186.

of this country is, to a great extent, based upon commerce, and that such commerce is, in a great measure, based upon credit, it must be admitted that every matter relating to credit assumes an important aspect as a branch of Social Science. It is a matter for congratulation, that in no civilized country in the world is commerce less shackled by useless legal enactments than in Great Britain; but I think it will be disputed by few, that it is one of the important duties of our Legislature, and of the various mercantile associations, to adopt all measures calculated to check the abuse of credit. Whatever may be the differences of opinion as to the best mode of carrying the principle of Registration of Partnerships into practice, I believe all, or nearly all, the various mercantile associations have arrived at the conclusion, that the principle is a correct one, and that it is desirable to embody it into a law.

The Leeds Chamber of Commerce, at whose request I have brought this subject before you, are not prepared to deny that there are difficulties in carrying this measure into operation, and their object is to invite discussion, in order that a well-digested plan may be adopted; it being their opinion that the principle advocated is a correct one, and that (contrary to the opinion expressed in the House of Commons) a great majority of the mercantile community are in its favour.

It would be possible, but tedious, to mention many inconveniences arising from the want of such a measure as that proposed. Legal men will tell you of the great difficulty they often experience in ascertaining the names of the partners in a firm; and one case has come to my knowledge, in which it was found necessary to make two of the partners bankrupts, in order to ascertain who the remaining partners were. In the case of a large failure in the brewing trade, which has lately taken place in London, I am informed that very considerable difficulty and expense have been experienced, arising from the want of means for obtaining positive information as to who the partners really were. I feel assured that any legal gentleman could multiply such cases. The firm of which I am a member have in several cases experienced loss, arising from an erroneous impression as to who the partners in a concern were. A Bill upon this subject was introduced into the House of Commons, by Viscount Goderich, in April last; but the opposition to some of the details, the lateness of the season (and I may, I think, add, the state of the Thames), induced his lordship to withdraw it after a short discussion, during which seven out of eleven speakers admitted the correctness of its principles.

With regard to the objections which have been urged against the measure, that it is uncalled for by the public, and unjustly inquisitorial toward the trader, I need only refer to large public meetings held, and petitions presented, in favour of its principles, and to the course pursued by the various Chambers of Commerce, in support of the assertion that the commercial public approve of the measure. To the objection that the measure is unjustly inquisitorial, I would reply, that the registration proposed would only afford such infor-

mation to the commercial world as it has a right to obtain. A man cannot be considered to be 'unjustly inquisitorial' who only seeks for that information which he has a right to be possessed of, and which it is for the interest of society generally that he shall possess.

Another objection raised—that the law would tend to drive away capital from trade—is, I think, a mistake; as all measures calculated to increase the security of capital employed in commerce must have an opposite effect.

Even allowing that there may be, as pointed out by the objectors, some cases, such as where no bill transactions are entered into, and where no credit is asked (and I can conceive of very few such), the argument as against the measure has but little weight; as such parties would be bound to make a small personal sacrifice rather than oppose a measure for the general good. I am inclined, however, to think, that where such cases exist, the parties would be advocates for, instead of opponents to, the measure in question, simply because they would have nothing to conceal. Another argument urged against the measure by its opponents, is, that a higher moral standard ought to exempt private partnerships from the requirements of such a law. I would that there was weight in this; but if we review the history of the mercantile failures which have taken place during the last twelve months, I fear the argument turns rather in favour of the measure than against it, the higher moral standard being most lamentably wanting.

I have endeavoured very briefly to reply to most of the objections raised by the opponents of registration. To me they appear to have but little weight, and only serve to confirm the opinion that no powerful arguments can be brought against the principles of the measure.

All that the promoters of this measure ask for is, that the individuals constituting every partnership carrying on commercial transactions in this country shall be readily and correctly ascertainable. It is vain to assert that we ask for an Act of Parliament to supply that information which private inquiries ought to afford; as it is well known to those accustomed to the details of business, that, in many cases, it is almost impossible to obtain such information, and that the attempt to inquire for it would often, in times of distrust and panic, be productive of mischief. It is equally vain to assert, that the withdrawal of a partner from a firm must always be announced in the *Gazette*, as it is utterly impossible for men of business to keep a register of alterations in every firm—alterations which may have taken place ten or a dozen years before they had any business transactions with them.

In no country in the world does the system of carrying on business under 'hereditary' or assumed names so prevail, nor is there any country in which it is so difficult to obtain positive information with respect to business firms, as in our own. It is firmly believed that the passing of the law in question would, to some extent, tend to mitigate the severity of the panics which periodically sweep over this country

panics in a great measure arising from want of confidence in the stability of those who are engaged in commerce. In France, Belgium, Russia, and in many other countries of Europe, every trader, to the smallest shopkeeper, is compelled to register; and in the United States, where fictitious names are almost unknown, it is the custom (specially in the State of New York) to put the names of each individual partner under the names of the firms painted upon the door-posts.

The Law of Patents for Inventions. By R. A. Macfie.

The late alterations of the British Patent system are, as far as they go, satisfactory in their nature and working. There is, however, ample room for further reform. What may be regarded as the worst fault of the present system remains, and its ill effects are greatly aggravated by the fivefold multiplication of patents which the late alterations have caused. That fault is the bestowing, on discoverers or importers of inventions, long and absolute monopoly. Whatever may have been the justification of monopoly in the early stages of our manufactures, and in the infancy of science and art, circumstances are so completely changed by the now very wide compass of our diversified manufacturing system, and by the extended sphere and liberal regulations of our commerce—regulations which bring British productions into competition with those of all other nations, not only everywhere abroad, but also in our home markets—that the present restrictions, which are framed to tie up an invention for fourteen years, have become extremely inconvenient, if not hurtful. To grant a monopoly in the good old times, with a view to introduce a trade that did not exist on English soil, was harmless, because the field was clear; but the Patent system has now become much less a means of introducing new trades than a restrictive registry of improvements, generally petty ones, on trades already established.

The further reforms which should be made, lie in the direction of instituting other and better recompenses for inventors than the present strict monopoly. Rather than invest that meritorious class with an exclusive right to work and make what they invent, it is desirable that each should be placed in a position to find his interest in his improvement being adopted universally. In point of fact, few do reserve the exclusive privileges in their own persons, for their own sole use. Law and custom allow them to extend these privileges to other persons, and to receive money for letting those others share the monopoly. Thus, as a general rule, the public and manufacturers are not practically debarred from the use and benefit of new inventions. But, it may safely be averred, there are some cases in which patentees or their assignees refuse to give licences on any terms, and many cases in which licences can only be had at an exorbitant price. The power to make invidious and hurtful distinctions, and to enforce

exorbitant demands, should be taken away. This relaxing of the patentee's power may be properly accompanied with a full equivalent, in the extension of his legal rights and remedies. His position would thus be most materially improved. I submit that every future patent should be held under restrictions, and with powers, such as those detailed under the following heads :—

I. At any time during the currency of a patent, Government may purchase for the public an unreserved right to use the invention. Government will do well to make such purchases, when the improvement is one that the population generally would receive benefit from, like that for perforating paper, which is found so useful in the case of sheets of postage stamps. Individuals may also purchase, if Government does not, and throw the invention open to the public.

II. While a patented invention is not so purchased, any subject of her Majesty shall be entitled to use it without let or hindrance ; but he must previously intimate his wish or intention to use it, and be willing to pay a fair charge. It shall be the patentee's business to take, independently of this requirement, all reasonable means to gain information for himself as to who are using his invention. But to facilitate the gaining of such information,

III. An office shall be opened in London, where notices may be lodged by the users of patented inventions. The recorder at this proposed office shall send a copy of these notices to the patentee, or his assignee or agent. It shall be the patentee's duty to leave at the office his own address, or that of his assignee or agent. He will do well also to advertise once a year, in the Journal of the Commissioners of Patents, the names of all persons entitled to use his invention.

IV. Where the patentee and the user of an invention shall not agree as to the terms of payment for its use, they shall be entitled, or compelled, to settle by arbitration ; but the latter may, if he choose, demand recourse to the regular tribunals of law to settle compensation for past use. The arbitrators shall be entitled to take into consideration every known circumstance that affects the case.

V. Let there be a (high) maximum amount fixed as the standard remuneration of patentees. This amount shall be altered in each particular case to tenfold the proved cost of making the discovery and making it available, if the patentee desire it so. On the attainment of this maximum being proved to the satisfaction of arbitrators, the patent shall be declared null thereafter. Such proof may be given at the time of taking the patent. The onus of bringing forward proof that the maximum has been attained, must rest with parties who may desire to get the patent declared exhausted. Curtailment of the currency or duration is as just, if it pay largely, as extension if it pay ill. Unless an arbitrated valuation rate be preferred, this maximum should be the price at which Government or individuals may buy for the public a patentee's interest in any invention. I venture to add, under heads numbered consecutively, a few other suggestions, that have no special or close relation to the reform, if I may so call it, which it is the chief object of this paper to advocate.

VI. Every patentee should, within six months after the specification is lodged, furnish a large plan or model, in duplicate; and there should be a yearly exhibition of these in London, Manchester, Edinburgh, and Dublin.

VII. The surplus fees derived from the working of the Patent system should be devoted to giving honorary rewards to inventors, whether patented or not, and to purchasing for the public useful patent rights. In awarding honours, due regard should be had to the merit of the invention. A special medal might be given to each patentee who shall voluntarily throw a meritorious patented invention open to the public, by relinquishing his privilege before the period at which it expires.

VIII. No patentee should be allowed so to cover every possible application of a general principle as to shut up other inventors from patenting other applications which he may have left unspecified. But where such new applications are patented, arbitrators might decide if any, and how much, of the profit that may accrue shall belong to the original patentee, and under what conditions.

IX. The improver or perfecter of an invention may demand a judicial appointment of arbitrators, to determine what share of the advantage that may accrue is due to him, and under what conditions.

X. Where a new and striking discovery has been made by any person who shall publicly announce it, and expound its principles, and another party shall thereafter obtain a patent for the application of it, arbitrators may, under certain circumstances, be called in to award a honorarium for such original discovery, to be paid out of the gains of the patentee.

It is not necessary to detail here the machinery for such arbitrations as have been frequently mentioned in this paper. Yearly nominations of a number of qualified arbitrators might be made by the Crown, the Societies of Arts, and the Chambers of Commerce.

A *primâ facie* case would require to be shown before any party who may be suspected or charged with evading payment is brought before such or any other Patent Court, and the like preliminary showing is proper in regard to other matters that might be submitted to such decision.

A commissioner would be needful to initiate the preliminary inquiries, and regulate the arbitrations.

The principle on which the foregoing propositions proceed is this,—that every hindrance to the use and improvement of new inventions should be removed from the way of the public and individuals, while at the same time every due facility, reward, and honour should be afforded to makers and perfecters of new inventions. The following are some of the circumstances and considerations that seem to call for changes of such a character as have been thus cursorily sketched:—

The recent cheapening of patents. The great multiplication of patents consequent thereon. The inferior value and obstructive effect of many patents included in this increased number. The

difficulty with which, since that multiplication, individuals can keep their information abreast of the actual state of matters with respect to the nature of new inventions and the names of patentees, and this notwithstanding the ample specifications, &c., that are published. The hindering and deterring effect of that want of information. The great number of patentees whom a manufacturer may have to arrange with and pay, in order to avail himself of all the plans that it would be beneficial for himself and the public that he should adopt. The extreme irregularity in the charges made by different patentees, some of which are marked by moderation, others preposterously high. The inequality of rates which one user has often to pay beyond another user of the same invention. The prevalence of infringement, and the inadequacy of the means which the present law and practice afford to prevent that wrong, and to assist patentees to get their inventions introduced and established. The recent omission of the colonies from British patents. The abolition of the protective system in trade, which exposes British manufactures to unrestricted competition with rivals in every country, whether patents exist there or no; the present want of due protection for the public interest. Legislation has hitherto been stimulated mostly from the side of inventors. The absence of any recognition of merit in the granting of patents. The advanced state of trade and manufactures. The new channels and ready means by which, in these times, information of improvements is published and spreads, and so would in any case reach persons concerned. The fact that improvements are now, in general, mere anticipations by a short time of what would pretty surely have been discovered ere long by other persons. The circumstance that the persons who are patentees are very frequently at best mere adapters, or only adopters, of discoveries of others.

As to the patentees, they would have the satisfaction, and gain the profit, of their inventions being adopted much earlier and more generally. At present the great difficulty is to get a patented invention brought into use. They would possess new and advantageous means for establishing the value and validity of their patents, for preventing evasion, and for securing just treatment. These propositions are virtually a regulating and consolidating, under safeguards, of the administration of patents which already prevails. There is certainly cause to regret that a more thorough and less partial reformation was not effected when the Law of Patents was last amended by the Legislature. But the time that has elapsed has shown better what is wanted to satisfy and do justice to all interested.

On the other hand, manufacturers would be freed from the embarrassment and delays incident to the present position of matters, which retards the adoption of patented improvements, and not unfrequently makes them repugnant to them. They would enjoy full right and freedom to use every invention as soon as known, and the comfort of feeling that they are wronging or neglecting no one. They would have a court of appeal in case of difference. Foreign competition might still

be hard, but it could not be destructive to them through exorbitant demands for the use of patents. Besides this, patents would often terminate earlier than the fourteen years; and, so far as the interests of the public are concerned, these would be promoted most effectually. There would be ample or even increased inducement to make and publish new and improved inventions. The power and opportunity to exercise them would be greatly enlarged. Further development of known inventions would go on without restraint, since fresh discoveries on the same track—the result of new minds being now brought to bear on them—would also be sure of a due reward. More active competition would likewise ensue in the succeeding stage of manufacture and use, which would tend to plentiful supplies and cheapness—most desirable consequences, which the present system does not secure. Thus British commerce and industry would have much freer course; that, too, in their natural channels; and nothing would remain to keep the nation from enjoying the earliest and fullest advantages of every discovery and advance in the arts and sciences.

On the Legalization of Chambers of Commerce.

By John Darlington.

Chambers of Commerce, although for many years established with great success on the Continent, are institutions which, with one or two exceptions, are comparatively new in the United Kingdom. In England there are at present about twenty-five, in Scotland ten, and in Ireland five societies, whose objects are in some degree similar, and which have been formed generally for the purpose—

First, of promoting measures calculated to benefit and protect the mercantile and trading interests of their members, and of the district in which the society is formed; secondly, of representing and expressing the sentiments of their members on commercial affairs; thirdly, of collecting statistics bearing upon the staple trade of their respective districts; fourthly, of undertaking the settlement of questions and disputes arising out of trade by arbitration or otherwise, when submitted to the respective chambers for decision; and, fifthly, of attaining such commercial advantages as the exertions of individuals may be less adequate to accomplish.

The Edinburgh Chamber of Commerce is, I believe, the oldest, and was incorporated by Royal Charter in 1786. The Manchester Chamber was established in 1820, and for many years was the only Chamber of Commerce in England. The Hull Chamber has been in existence only twenty years; and notwithstanding the importance of the shipping and other interests connected with Liverpool, her Chamber of Commerce was first instituted in 1850, in which year also those of the great manufacturing towns of Leeds and Bradford were established; and it may be interesting to remark that in the

same year a Chamber of Commerce was formed in South Australia, consisting of eighty members, with an income of 150*l.* per annum.

On taking up a report of the proceedings of these bodies one feels astonished at the vast amount of good which has been accomplished through their instrumentality, and perplexed to know how it could have been possible to watch over the trading interests of our hives of industry without the intervention of Chambers of Commerce.*

Many of the subjects dealt with were of general importance, and there can be no doubt that the opinions expressed, and the action taken, by the Manchester, and other Chambers of Commerce, have had great weight and influence, not only with the Executive Government but with both Houses of Parliament.

The Manchester and Liverpool Chambers are perhaps the most successful, and their funds larger than any others; the annual income of the Manchester Chamber being upwards of 600*l.*; that of Liverpool in 1857 being about 800*l.*, contributed entirely by members subscribing generally a guinea per annum. Few persons would now be found who would dispute the necessity that exists for a Chamber of Commerce in every large manufacturing district; nor do I think they would deny that Chambers of Agriculture would be of great benefit, if established throughout the kingdom; but whilst giving full credit to the efficiency of Chambers of Commerce, I have long entertained an opinion that they might be rendered much more effective. In Belgium, and other parts of the Continent, the various Chambers of Commerce are a part of the governmental arrangement of the country, and are consulted by the Ministers on all questions affecting trade and commerce before the project is brought into the Legislature. It is true that our Government not only receive with the greatest courtesy every deputation, and pay the greatest possible amount of attention to every memorial sent up by Chambers of Commerce, but they even now, occasionally, submit questions of polity for their opinion and advice. The Government know that they are in communication with the picked men of the district, and naturally and properly suppose that through them they would obtain the best information on any matter submitted for their consideration. But our Chambers of Com-

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* I may refer to the 36th Annual Report of the Manchester Chamber, in which I find that the following subjects had, among others during their official year, engaged the attention of the Council.

A Resolution to the Government as to our relations with the United States of America.

A Memorial to Lord Clarendon prior to the Peace Conference held in Paris.

Mercantile Law Amendment.

Passing Tolls and Town Dues.

The Leasing of Canals to Railway Companies.

Joint Stock Companies and Partnership Bills.

Foreign Postal Matters.

Memorial to Lord Clarendon as to our Trade with Morocco.

The Supply of Cotton, and the Trade in the interior of Africa.

Foreign Tariffs.

The preparation of an Address, and the appointment of a Deputation to present the same to the Free Trade Congress held in Brussels.

merce, with the exception of the Edinburgh Chamber and a few other chartered societies, have no legal position; and if, for instance, at any time it became necessary for a Chamber to oppose or promote a Bill in Parliament, they would have no *locus standi*, and could only be heard by counsel under cover of a petition from some traders or other society recognised by law.

The object of this paper is to raise the question, whether it would be expedient and beneficial to have these Chambers legalized and extended throughout the kingdom, The cost of a charter is, I believe, so great, that the annual income of many Chambers would be absorbed in procuring one. I therefore propose that charters of incorporation should be given on application, and without any expense, to all towns in which there is a population of say 50,000; whereby Chambers of Commerce in manufacturing, and Chambers of Commerce and Agriculture in agricultural, districts would be established.

If chartered Chambers were thus in existence, the Government would be enabled to communicate with regularly constituted and organized bodies, to whom, on the one hand, every question affecting tariffs, or other matters bearing immediately on trade, or, on the other hand, all subjects having reference to agriculture, might be submitted, and thus the Government could at once insure the opinion of the chief men of business in the various localities, men pre-eminently qualified to give advice to the Legislature. I cannot but think that much crude legislation would be avoided if this course were adopted; the best intentions of the Government are often frustrated, from the fact of measures being introduced into Parliament which have not previously been sufficiently considered by practical men. It is not very long since the Government desired to collect agricultural statistics, but hesitated on whom to impose the duty of obtaining the required returns. Who so likely as the secretaries of the Chambers of Agriculture in the different counties of England? These societies, thus legalized and established throughout the country, might, at some future period, become local tribunals, having power to adjudicate on disputes arising out of commercial transactions, and which are now often referred from the Nisi Prius Courts to some such practical arbitrators as are found in the councils of these Chambers.

On the Necessity which exists for the Institution of Local and Permanent Civil Courts for the Adjudication of Mercantile Disputes. By Edward Heath.

THERE is no community so well qualified to dilate on the great evils which the commercial classes labour under in this country from the want of sufficient tribunals for the speedy settlement of commercial disputes, as that of Liverpool — the foremost and largest mercantile emporium in the empire.

The grievance which Liverpool suffers, in common with all the large provincial towns, is that it is not possible for a plaintiff in a legal claim above 50*l.* to obtain a settlement from an unwilling defendant, except during two fortnights in the year, nor under an expense of at least 80*l.*, although the sum at issue may not amount to that—and the recovery of which, even though he gain his suit, depends on several technical contingencies.

The justification put forth for maintaining this state of things practically comes to this, that due regard for the welfare of the mercantile classes requires that they shall not be empowered authoritatively to settle their own disputes, nor shall they have them settled by any but the highest judges of the land and the leading London counsel, however simple may be the legal point involved, unless indeed the amount in dispute be under 50*l.*; in cases of that calibre, whatever may be the niceties of the law, the adjudication is left to the County Court Judges, who seem so far to get through them all without bringing about any desperate state of things by conflicting decisions or countless appeals.

In a legal and social point of view, it is not the amount of pecuniary interest at stake which is of first importance in civil actions, but it is the principle of law governing the decision; and the elucidation of the right principle may be as difficult in an action for 30*l.* or 40*l.*, as in one for 30,000*l.* How absurd, therefore, and how contradictory, to profess all this solemn regard for the interests of commerce in respect of litigation for sums above 50*l.* only, when litigation for smaller amounts is left, by common consent, to secondary judges, whatever may be the perplexities of the legal points involved. If it be replied that experience has proved that the Judges in the County Courts have shown themselves equal to the duties entrusted to them, there is an end to the assertions of the indispensable necessity of assize judges to adjudicate causes in the first instance.

Undoubtedly, in the eyes of mercantile men, one of the most favourite features of mercantile courts is the use of mercantile men as judges; but it is against this very point of the scheme that objection is mainly urged. It is argued that, because the commercial man has not received a mental training like a lawyer, he cannot put his ideas into logical order; that in respect of matters of custom, or the value, description, and qualities of goods, or of ordinary transactions of business, the mercantile man may be best qualified to decide; but in dealing with matters of abstract principle, or with questions of contract settled by law, the greatest discrepancy of opinion and uncertainty of decision must necessarily prevail among commercial judges, and that the final result of courts so constituted must be confusion and conflicting adjudications.

The answer to this is simply, that the great majority (say seven-eighths) of mercantile causes are matters of custom, or of the description, quality, or value of goods, or of ordinary transactions of business, in judging of which the lawyer, however logically trained, is helpless; and it is monstrous that such causes should have to run the

gauntlet of lawyers here and lawyers in London, and lawyers and judges at the assize, accumulating costs at every stage, until they really are settled by the commercial element in the jury-box at last.

But the question of professional or lay judges is, comparatively, of secondary importance. The paramount want of mercantile men is a Local Permanent Court, always accessible, into which claims can be carried immediately, possessing equitable jurisdiction and an informal procedure. Why, any man at all conversant with commercial disputes knows well that all that is necessary, in nine-tenths of them, is the power of compelling the defendant to appear in open court, almost before any judge. This is largely exemplified in the number of actions kept open during the months which precede the assizes, and which are settled by scores as soon as the judges arrive. The fact is, they are kept going either by plaintiff or defendant on the speculation of wearying out the other side; but on the eve of trial the cases are settled, for it is generally pretty well known among the parties where the right lies.

And this system of wearying out is indeed a very potent weapon. Take a case within the writer's own experience. A ship was engaged in the United States to load cotton for Liverpool, the consignment here on arrival having been given, under the captain's signature, to the receiver of the largest shipment. This consignment, as it is called, carried a commission of two and a half per cent. on the whole freight collected. Now, this is an operation of a most uniform and constant character, under which three-fourths of the American vessels arrive in Liverpool. But in this particular instance the captain, although he had signed the usual undertaking, and had received a large proportion of his cargo at the highest rate of freight on consideration thereof, on arrival here consigned his vessel to another house, who collected the freight and paid themselves the commission, and then refusing to give any explanation to the holder of his engagement, defied him. Now, had there been here a Local Permanent Court, with equitable jurisdiction, the captain would have been compelled instantly to have performed his agreement, or to have assigned sufficient reason for refusing. But under our present system of litigation, the aggrieved party had first to arrest the captain, for security of the debt and costs (the latter limited by law to 20*l.*); he had then to send a commission to New Orleans to take evidence (oral) of the agreement; and one year afterwards, when the cumbrous assize had found its way back to Liverpool, and no further delay could be interposed, the captain's agent paid the claim (about 80*l.*) and the 20*l.* costs deposited, which, together, just covered the expenses to which the plaintiff had been put. Is it not a disgrace to the judicial system of England, that thousands of cases like the foregoing, where nothing is necessary for obtaining speedy and rightful justice but summary and equitable jurisdictions, are occurring every year? The experience of Liverpool solicitors teems with cases of like character; they know and lament that their clients are harassed with costs, and kept out of their just rights for months and even years, merely for the want of a Local Court, constantly open

and accessible. It is well known that few men will bring a cause actually into court unless they have some ground for claim or defence; but almost every house, whatever be its standing, is tempted to procrastinate and weary out its opponent when it can, on the chance of something favourable turning up.

But the full extent of the commercial grievance is not yet described. Although the feeling among those high members of the legal profession with whom all change to a certain extent must originate has not hitherto permitted the agitation of any plan which might issue in the abolition of the clumsy, mediæval, and no longer appropriate practice of adjudicating mercantile disputes by the travelling assize,—yet when assize work becomes inconvenient to the heads and leaders of the assize, they do not hesitate one moment to force the clients into compromise, reference, or remanet, and then to hurry away. The writer of this paper has witnessed within the last three years, in a cause towards the termination of a protracted assize, when the London Law Term was close at hand, a bye-play got up between the two senior counsel and the judge, in order to bring about a compromise; first one point, and then another, bearing alternately strongly against the respective litigants, was discussed out of all order, until sufficient impression was made on the nerves of the litigants, and then the compromise was managed, to the deep and permanent dissatisfaction of one side at least,—and the lawyers released.

Instances of this sort occur so frequently, with more or less management on the part of counsel engaged, that the feeling among many of the respectable solicitors of this town is yearly becoming stronger against risking actions at assizes at all—so that out of evil may come good. In like manner, as the horrors of the present Bankruptcy system have almost put an end to all resort to those courts—so if the monstrous anomalies and abuses of assize justice be continued a few years longer, it may be hoped that, in respect of civil causes, the barristers may go away briefless, and the judges with white gloves.

By all means let us have those engaged in law proceedings do all in their power to bring about peaceful settlements (and, to their honour be it said, this *is* the practice among the most of the respectable attornies of the land), but let that be done before expenditure be incurred. But if barristers receive and keep heavy fees for fighting, let them fight, and not settle abruptly for their own convenience. There is, indeed, a specific not unfrequently recommended to the commercial world by persons who desire to preserve the assize judicature—viz., the extension of the practice of arbitration or reference. Now, that method of settling disputes is already on the increase; several trades, which have formed themselves into associations in Liverpool, have systematically adopted a provision for arbitration in their contracts, the result of which has been eminently successful in preventing litigation and saving time and expense. These admirable arrangements, however, are almost necessarily limited to local trades carried on very much among the same persons, and by a fixed

form of contract and operations generally of similar character. But transactions are continually taking place in a large seaport town, between foreigners and strangers from a distance, where no written contracts exist; or if they do, made perhaps abroad—as, for instance, Bills of Lading, Charters, &c. Among the countless operations daily entered upon in a great mercantile emporium like Liverpool, men are constantly thrown into unexpected relations with each other, for which it is impossible to provide in case of dispute by any previous agreement to refer, and then the old impediments to arbitration appear. One party refuses, and the other is thrown back on the only other resort—viz., the assize, procrastinating and expensive as it is.

We may repeat some of the resolutions adopted by the representatives of the Mercantile Associations throughout the United Kingdom, at the Conference held in Liverpool, April 28th and 29th, 1853.

That the leading grievances under which the trading classes, especially in the provinces, suffer, are mainly connected with the administration of the law, and may be classed under the following heads:—

(1.) The want of a summary, economical, and authoritative mode of settling disputes arising out of the absence of permanent local tribunals, possessing complete jurisdiction and compulsory powers, to which access can always and immediately be had.

(2.) The irritating, because unnecessary, expenditure attaching to the present system, exemplified in the necessity of conducting all preliminary proceedings through the metropolitan courts, the retention of technical pleadings and forms of action, and the rules of etiquette among professional gentlemen in respect of fees and the employment of counsel.

(3.) The withholding of equitable jurisdiction from the ordinary law courts, thereby disqualifying them from administering *entire justice*, and not unfrequently driving disputants into another and distant court.

(4.) The want of commercial men as judges in cases where mercantile usage and experience is concerned.

Here are the grievances concisely and emphatically stated; if any man deny their existence, let him come forward and do so.

Now for the remedy. That also was plainly laid down on the same occasion, in the following outline:—

'That the remedial measures best calculated to put an end to the evils complained of, point to the establishment of Permanent Local Courts, with compulsory powers and equitable jurisdiction within towns and districts of certain extent, for the adjudication of all mercantile disputes, wherein the judges should consist, at least partially, of mercantile men, and the procedure be informal.'

When the public mind shall have ripened into the determination of getting rid of the existing system, much consideration will doubtless be given to the details of the new mode of administering commercial justice. Although Tribunals of Commerce on the Continent have been eminently successful, and are yearly rising in public estimation, yet they do partake in some degree of the habits and consti-

tution of the foreign governments by which they are maintained, and are therefore, in their normal forms, scarcely suited to the political atmosphere of Great Britain. But many of their leading features must be adopted.

The Tribunal of Commerce at Hamburgh appears to approach nearest to our English ideas of what is needed, and to afford to us the best model from which we might borrow.

As it is not, however, the purpose of this paper to construct a court in all its details, we can only lay before the meeting some of the leading particulars, extracted from an exceedingly succinct account of its constitution and working, prepared by Dr. Versmann, one of the vice-presidents and a lawyer, and sent by him to Mr. H. Dix Hutton, barrister, who laid it before the Dublin Statistical Society, in April, 1858.

The public sittings are (excepting four weeks' vacation) held twice a week uninterruptedly through the year. The Bench is occupied by a lawyer and two commercial judges, having each an equal voice. In nautical cases two experienced captains are associates, who, however, have only a consultative voice. The legal judge receives a salary—the commercial judges are honorary.

The disputants are at liberty to conduct their cause either in person or by an advocate; and it is quite usual, especially in important cases, to employ counsel. The procedure is oral; but in causes of moment the advocates are in the habit of communicating to each other brief statements of their case, or reply, or at least notes of the principal facts, together with copies of documentary evidence, before entering on their verbal pleadings. This, however, is optional.

In simple matters, after hearing the parties, the decision of the Court is forthwith given; in cases of greater complication, or involving important points of law, the judgment is generally postponed eight days.

Disputes as to the jurisdiction of the Court very seldom occur; its competence is not determined by the amount in litigation, but depends on the nature of the question at issue—that is to say, whether it relates to mercantile dealings.

From the commencement on its present basis, in 1816, the Hamburgh Tribunal has enjoyed general confidence; and though at first a number of persons, particularly among the legal profession, were opposed to it, the experience of forty years has proved that the Tribunal of Commerce, having a majority of commercial judges, constitutes an efficacious, and perhaps the only, means of obtaining commercial justice.

The vice-president appropriates a considerable part of his communication to justify and defend the participation of commercial judges in the administration of the Court. He considers this indeed to be the cause to which the success and popularity of the Tribunal is mainly owing; for, says he, the difficulty of deciding cases results far less frequently from doubts as to the principles of law themselves, than from questions of the application of these principles. On this ac-

count, on no subject oftener than in relation to commercial justice, does the right determination of any given case depend more intimately on a proper insight into the real nature of the matter in controversy, and a knowledge of the movements of the commercial world, and other circumstances which, while often ingeniously withdrawn from view by the advocate, are immediately apprehended and brought to light by the commercial judge.

Dr. Versmann then, in well-weighed language, presents the advantages which are derived from the presence of the legal judge with his scientific knowledge of mercantile law, and with the influence exercised by a judicially trained mind. The judicial culture and the habits of logical thought which characterize the lawyer, can as little be dispensed with in the Tribunal of Commerce as that knowledge of business and rapid apprehension of the question in dispute which especially belongs to the mercantile intellect.

It also forms the peculiar office of the legal judge to preserve, as far as possible, that conformity in the course of decisions which is of singular importance in commercial affairs, and for this duty his knowledge of the judgments already pronounced in similar cases preeminently qualifies him.

The lawyer's office is permanent, while the commercial judges change. Diversity of opinion very rarely occurs. The Court, after a due and searching investigation, generally arrives at a unanimous judgment.

Dr. Versmann, in conclusion, makes this remarkable observation to his English correspondent:—'I see that the establishment of these courts undoubtedly encounters great difficulties in your country—difficulties which lie partly in its social relations and judicial institutions, and partly in the prejudices and misconceptions of a portion of the public. As to this last point, I have been greatly interested in perceiving that many of the very same arguments which were once urged in this city against the Tribunal of Commerce are now put forward by its opponents in England.'

Time forbids me to enter here, as I had intended to do, upon a review of the courts existing in this town which might almost at once be converted into commercial courts. The County Court is out of the question, being already burdened with a load of increasing business; but the Bankruptcy Court and the Borough Court lie before us—little known and less frequented, but both or either capable of popularization and conversion into a well-constituted, comprehensive, and efficacious Local Commercial Court, to which also would belong the administration of the (new) Bankruptcy system now about to be founded on economical and equitable principles, emanating from the commercial bodies of the kingdom, and which will be administered solely with a view to commercial interests.

The Consolidation of Local Courts. By G. W. HASTINGS, LL.B., *Barrister-at-Law*

No complaint can be more truly founded on fact than that made by provincial towns, of the want of any adequate means for the administration of justice to their inhabitants. Many towns, which in respect of wealth and population might well form the capitals of independent states, are never visited by her Majesty's judges; and those where assizes are held only see the judges twice a year, as far as civil business is concerned. In all cases where the amount in dispute is above 50*l.*, justice is denied to a litigant except at these distant intervals, and clogged with the condition of formal pleadings at Westminster. The proposed changes in the circuits, and their greater frequency, might mitigate but could never relieve the hardship.

It has been suggested that the evil should be remedied by establishing in our large towns simply Commercial Courts, of a nature analogous, if not similar, to those known on the Continent by the name of Tribunals of Commerce. Without entering into the details of this question, two broad objections may be stated against the proposal—first, that these new institutions would entail great additional expense on the country, already heavily burdened by judicial establishments; and secondly, that the multiplication of courts has already become a serious evil, and should be checked rather than encouraged. The real remedy for the want felt in the provinces will be found in Local Courts, armed with plenary jurisdiction, provided with a simple procedure, and constantly open to all classes of the community. How to establish such courts without increasing the burdens of the nation, and with a due regard to existing circumstances, is the question considered in this paper.

During the discussion on Tribunals of Commerce at the Mercantile Law Conference, 1857,* I pointed out the fact, which is continually striking most people engaged in questions of social improvement, whether affecting law, or the arts, or education, that there are a number of institutions founded by the wealth and liberality of our ancestors which, if only restored to their original and legitimate uses, would supply the wants for which we are continually forming new ones. This remark applies especially to the subject now in hand. A search through the reports of the Municipal Corporation Commissioners will show, that in all the ancient boroughs of this kingdom, Local Courts existed from the days of the Plantagenets, all possessing a considerable jurisdiction, and many capable of deciding causes to any amount. I will give two instances, which are fair samples, from two classes of towns. The Tolzey Court of Bristol, the most important of our mediæval seaports, has always possessed plenary powers. Worcester, a town of less importance, but still of considerable distinction in the middle ages, has had, from the days of our first Edwards, a Court of

* Report of the Mercantile Law Conference, 1857, page 56.

Pleas, with jurisdiction to the amount of 40*l.*—a sum which, at the period of the original constitution of the court must have been equivalent to 500*l.* at the present day. Of these local courts the Recorder was the judge, and as that officer was then resident in his borough, he no doubt sat constantly. The want of local justice in our principal towns is therefore of modern date, and a removal of the causes which led to the desuetude of these ancient tribunals will remove the evils that now excite complaint.

These causes are principally two; one is the defect of power for executing their judgments, which the borough courts labour under. Generally speaking, their jurisdiction only extends to the boundary of the town; sometimes it is restricted to the limits of the ancient borough, long since overflowed by expanding population. This defect was of little moment in former times, when communication between different parts of the country was difficult, and trade was concentrated in particular localities. A Bristol merchant, or a woollen manufacturer at Worcester, dealt during the middle ages with his fellow-citizens alone, and the Recorder's Court amply sufficed for his litigation; but now that trade is spread over the country, and contracts are entered into by men of business living remote from each other, a court which can execute its decrees only within a small area round its walls becomes, for most purposes, practically useless. The other reason is the non-residence of the Recorders, whose salaries have not risen in amount proportionately to the reduced value of money, and who, consequently, never think of abandoning metropolitan practice to fulfil their ancient duties as judges of the borough courts. These and other causes reduced at one time the administration of local justice in England to a lower ebb, I imagine, than it has ever sunk to in any other civilized country.

The absolute denial of justice which thence ensued attracted the notice of Lord Brougham in the earliest period of his career as a law reformer, and a long series of Bills, commencing at a date more than a quarter of a century ago, and continued till the present time, remain as a monument of the consistent and unwearying zeal with which he has advocated the principle of bringing justice home to the door of every citizen. It is impossible for me even to allude to all his efforts on this subject. I can only mention the Bill introduced by him, then Mr. Brougham, in 1831, and which was subsequently brought into the House of Lords, where it was lost in the ensuing year by a very narrow majority. The Bill provided for the establishment of local courts with a compulsory jurisdiction up to 100*l.*, and with a voluntary jurisdiction to any amount; they were also intended to be courts of reconcilement and arbitration. This great and comprehensive measure, as well as future Bills of a similar but less extensive nature, was opposed by Lord Lyndhurst, then occupying the woolsack, as an innovation on our judicial system; a circumstance which I mention to the honour of that illustrious and enlightened man; for when the reiterated efforts of Lord Brougham and the increasing popular feeling on the subject convinced Lord Lyndhurst, fifteen

years later, that the principle of local justice was sound, he did not hesitate to frankly withdraw his former opinions, and to ask the assent of Parliament to the first County Court Bill. The 20*l.* jurisdiction given by this measure was subsequently increased to 50*l.*, by an Act introduced by Mr. Henry Fitzroy; and at this point, being one half of the amount proposed in Lord Brougham's original measure, County Court legislation has hitherto stopped. But the real value of the legislation is to be found in the principle of local justice thus affirmed by Parliament; a principle too firmly rooted in the minds of the people to be ever again eradicated from our legal system, though its full development may be long retarded by self-interest and prejudice, and discredited by occasional failure.

The time will probably come when our County Courts, like the Scotch Sheriff Courts, will try civil causes to any amount; but I am inclined to think that improvements must be made in their machinery, and a higher class of men, speaking generally, be obtained as judges before such powers can be safely extended to them. Many of these courts, which number nearly five hundred, are situated in rural districts, where no adequate supervision can be maintained by the press, and where the regular attendance of a bar cannot be looked for. I think, too, that the requirements of town and country in this matter are, to a great extent, different, and that at any rate the experiment of local courts with plenary jurisdiction can be best tried at first in our large commercial and manufacturing cities. To these I would restrict the application of the following plan.

I propose that an Act should be passed to be called the Borough Courts Act, enabling her Majesty, by order in Privy Council, to establish in any town of a population of 20,000 or upwards, whose inhabitants may petition for that purpose, a Borough Court, exercising the powers of the present Bankruptcy and County Courts, and of Quarter Sessions, (all these Courts to be consolidated in the new tribunal) and possessing, in addition, the power of trying civil cases to any amount where the parties may choose to avail themselves of its jurisdiction. I also propose that equitable powers should be conferred on these tribunals, and that the litigant parties may at their option try any case of contract as they would before an arbitrator, without formal pleadings, and with the assistance of two mercantile men as assessors to the judge. Process should be served and judgment executed throughout the kingdom as is the case now with the County Courts, and the judge should sit continuously. Such courts would answer all the purposes for which tribunals of commerce are designed, with the advantage of being open to others than mercantile litigants. I believe that two judges would suffice, in any of our towns, for all the judicial work, both civil and criminal; and I propose that in all cases the senior judge should be the Recorder of the borough, and that he and his colleague should be paid such salaries as to make their posts objects of ambition to men occupying a first-rate position at the bar. The sums now paid to the officers of different local courts would be, in most cases, if thrown

together, sufficient for the purpose.* But there can be little doubt that many towns would gladly tax themselves for the purpose of providing any further sum that might be necessary. Any cost of this sort would probably be more than compensated by the diminution of prison expenses alone, owing to the greater frequency of sessions, and the consequently smaller average of prisoners awaiting their trial. In such courts an efficient and regular bar would not long be wanting. The demand for trained advocacy, which important and continued litigation always creates, as invariably begets the supply; and as I understand that Liverpool and Manchester already possess a local bar of standing and ability, it is evident that a similar body will collect in any large town where a local court, presided over by a judge of professional reputation, and trying causes of a large amount, has once been established.

I need not say that the practical application of such an Act must be gradual and regulated by the interests of the officers of the existing courts, the new scheme being carried out as vacancies by death or retirement occur.

And now it may be asked what reason there is to expect that such a court, if established, could be worked successfully, or that its existence would be needed if the circuits of the judges were made more frequent. There is a precedent on this point which I submit gives to this question a conclusive reply. The City of London enjoys the advantage of a close proximity to the superior courts, and its merchants have the frequent opportunity at the Guildhall or Westminster sittings of bringing disputed questions before a jury. The City has, nevertheless, found it expedient within the last two years to obtain an Act adding to the powers and increasing the efficiency of its Lord Mayor's Court; that court presided over by the Recorder and Common Serjeant, armed with equitable as well as legal powers, and possessed of an improved procedure, is thronged with business, and gives, I am told, great satisfaction to suitors. It entirely resembles in its nature and proceedings the courts whose formation I advocate; and if London is in need of such a tribunal, by how much more must its existence be required in towns far distant from the superior courts!

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* In Liverpool, the following salaries are paid to local judges:—

Bankruptcy Commissioner	£1800
County Court Judge	1500
Passage Court Judge	600
Recorder	400
	£4300

which would give for two resident judges 2500*l.* to one, and 1800*l.* to the other.

Take, again, Bristol:—

Bankruptcy Commissioner	£1800
County Court Judge	1200
Recorder	600
	£3600

giving 2000*l.* for a resident Recorder, and 1500*l.* for a deputy.

On the Law relating to Foreign Debtors. By J. T. Danson, F.S.S., *Barrister-at-Law.*

THIS topic having, of late, excited some attention in Liverpool, and having been made the subject of a special investigation by the Chamber of Commerce of Liverpool, it is deemed not unfitting that, as chairman of the commercial law committee of that body, and one of its delegates to the meeting, I should lay before this section a statement of what we deem the defects of the present law, with a view to the proper remedies. After a careful investigation of the whole subject, as it affects the British merchant at home, and after consulting the best modern authorities on the established laws and customs of the principal countries of Europe affecting it, the following conclusions have been arrived at :—1. That there is a defect inherent in, and to some extent inseparable from, the system under which justice is at present administered in all matters involving transactions between the subjects of different states or governments. 2. That this defect arises chiefly from the practical impossibility of any government stretching its authority, permanently or regularly, beyond the limits of its own territory; but also, partly, as regards this country, from imperfect legislation. 3. That this defect, being inseparably connected with the political independence and various character of different governments, cannot be fully remedied, by any means, in the present state of the world. 4. That the inconveniences resulting from this defect are, at present, obviated, to some extent, by legislation, and by international concession. 5. But that these inconveniences admit of being obviated to a much greater extent than they now are, by legislation, and by an extension of these concessions; and this without in any degree impugning the independence of different governments; and, 6. That every step in advance thus made towards a more perfect administration of justice, as between the subjects of different governments, would invest with a higher degree of security all the transactions of foreign commerce—and by thus diminishing risk, diminish cost—and could not fail to be beneficial to all parties concerned. The first three of these propositions may be best dealt with together. That some such defect as that indicated exists might be inferred from the facts brought before the Chamber, as affording ground for inquiry. But the first steps of the inquiry elicited abundant evidence that these facts, while they described an individual case, also fairly illustrated an important class of cases, of frequent occurrence in the foreign commerce of this and other countries. The existence of the defect referred to has also been recognised by the leading writers on jurisprudence, from the earliest ages down to the present time; and has by them invariably been traced, as it may now most obviously be traced, to the limits necessarily imposed by the political and judicial independence of separate nations upon the powers of investigation and compulsion wielded by

their respective courts of law. And it has never been supposed to be practicable, nor can it now be supposed to be so, that the courts of law, erected and maintained by one nation, should have jurisdiction within the territory, and over the subjects, of another: inasmuch as the exercise of any such jurisdiction would be directly subversive of the political and legislative institutions upon which the independence of separate nationalities is fundamentally based. With reference to the 4th and 5th propositions, we have, first, to consider the necessary extent of the limitations thus imposed by the enforcement of the laws of one state upon the subjects of another. And here we may fitly limit the further scope of this inquiry to the means of enforcing the payment of debts due by, or of compensation for damages sustained at the hands of, the subjects of a foreign power; leaving the less difficult subject of *criminal* justice untouched. The process of law by which a claim, being just, is enforced, is essentially the same in all countries. It is readily divided into two distinct parts:—1st, the investigation by which the justice of the claim is ascertained; and, 2nd, the compulsion by which the right, thus made apparent, is enforced. As to the first part of the process, there seems to be, substantially, very little difference between the practice of the courts of different countries. The courts of all countries more or less readily entertain suits by foreigners against the subjects of the states to which the courts belong; and, in all such cases, they enforce their judgment as they would were the suit at the instance of the native. A similar privilege is accorded to foreigners desirous of suing foreigners in the native courts, where the subject in dispute, or the residence or property of the defendant, or mutual consent, brings the suit within the jurisdiction of a native court. But of course these privileges have no existence when the different states in question are at war. By some writers this practice of permitting foreigners to sue has been treated as founded on a right. It is obvious, however, that practically it is based upon concession, and that its just extent is to be measured by its international reciprocity. Undoubtedly, the independence of every nation, if strictly insisted upon, implies power to refuse the benefit of its internal institutions to all except its own people. To use this power to its utmost extent, would be to forbid all intercourse with foreigners. To waive it, so far only as is above stated to be common, is about the narrowest limit of concession consistent with the carrying on of foreign commerce. And it is abundantly evident, apart from all abstract right, that a nation which seeks intercourse with foreigners, and promotes the formation of contracts between its individual members and members of other communities, tacitly binds itself to enforce the fulfilment of such contracts, on both sides, as far as its power may extend. The suit once instituted, it appears that the mode of procedure must, with few exceptions, be that usual in the court in which it is carried on. Nor is there any apparent reason why this should be otherwise, except as to evidence. There being considerable difference between the force allowed to different

descriptions of evidence in different countries, a strict adherence to the course usual in each country might often wear the aspect of a denial of justice, and might sometimes deserve that description. The rule most prevalent seems to be that, in this part of the procedure, regard shall be had, in the first instance, to the practice of the country in which the transaction in issue took place; and that, when written documents are in question, they shall be dealt with under the law of evidence prevalent in the country in which they had their origin. And it may be stated, in general terms, that the rejection, on any such occasion, of any description of proof commonly recognised by other civilized nations, would be deemed good ground of international complaint. But, what more nearly affects the purpose of the present inquiry, is the bearing of the recognised international law of Europe upon a class of cases in which it is necessary to the ends of justice that, before any suit is commenced, the property of a foreign defendant, being within the realm, should be seized on behalf of a native or foreign bailiff. It does not appear that the exercise of such a power, within due limits, is, or ever has been, deemed repugnant to the ideas of international justice hitherto acted upon by the civilized nations of Europe. Such a power is actually in use, by local courts, in some parts of England, and in Scotland. It seems, in every instance in which I have been able to obtain any authentic account of it, to be founded solely upon ancient and continuous usage, and to have a distinctly mercantile origin. A statement of its extent and operation, as ascertained with reference to London and to Bristol, may afford some ground for considering the propriety of an appeal to the Legislature for an amendment of the general law of the country in this respect. Goods belonging to, or debts due to, foreigners, if the goods or the debtors be within the City of London, may be attached or seized by process out of the Lord Mayor's Court. This power seems to have been originally conferred only by way of compelling the appearance before the court of persons owing money within the City, but resident out of it. Property on the Thames is exempt; and hence shipping and goods afloat cannot there be attached. After attachment made, the defendant can remove it by putting in bail for the amount claimed; but if this be not done for a year and a day, the property attached is delivered over to the plaintiff, or his claim is satisfied out of it. In the meantime, if the plaintiff brings forward two housekeepers, as sureties, to restore the property or debt, if duly claimed within a year and a day, he may have the property appraised and delivered to him, or the debt due to the defendant paid into his hands.* A power similar in many respects is wielded by the Borough Court of Record at Bristol, known, before the Municipal Reform Act, as the 'Tolzey Court.' Its jurisdiction is co-extensive with the city of Bristol, and extends over the Avon as far down as King-road, and over the Severn as far as the island called the 'Holmes;' and so includes all ships and property afloat within

* Ashley's 'Doctrine and Practice of Attachments,' 8vo., 1819.

these limits. The manner of proceeding resembles that of the London court. The plaintiff makes affidavit of the amount of his claim. A summons then issues to the defendant to appear. If this be returned with the officer's certificate that he is not to be found within the city, an attachment may issue to attach whatever property he may have there. If the defendant does not then appear within a short time, a warrant of sale may issue; and, on the plaintiff giving security to return the amount, if the defendant appears, and disproves his claim within a year and a day, the property is sold, and the plaintiff's claim is satisfied, so far as the proceeds may extend. Here, as in London, the property seizable includes debts due to the defendant, on their being admitted by the debtor, or proved before the court. If the defendant appears, at any time before the proceedings are completed, and either surrenders his person, or gives bail, the attachment merges in the ordinary action for debt. It appears that a similar customary mode of proceeding exists in some other ancient cities and towns in England: as at Eexter and at Lancaster, and that it also exists in Scotland, and in Jersey, and in nearly all the maritime towns on the Continent of Europe. In Scotland, it is termed 'Arrestment;' and in France, 'Saisie arret.' It will be observed, that the power thus used has two distinct peculiarities here worthy of attention. First: Its origin and its form point only to the purpose of compelling the appearance of defendants who, though not within the jurisdiction of the court, have property and creditors, or debtors and creditors, within it. In effect, by attaching the property or debts of the defendant, the process secures, to their extent, the payment of the plaintiff's claim, if just, or if not disproved. Second: It operates upon all persons not within the jurisdiction of the court; and so touches foreigners, not as such, but in common with a large number of British subjects. How far the exercise of such a power for the recovery of debts due by foreigners, and all others who have property or creditors in localities in which they are not resident, may be expedient, is a question for the Legislature. If it be so, there seems to be no reason why it should not exist in Liverpool. If it be not so, it can hardly be defended in London, or at Bristol, or elsewhere. Should its existence, for merely local purposes, not be deemed expedient, there remains the question, whether it might not properly be given to the supreme courts of each of the three kingdoms, and even to the local courts of our principal towns, as against foreigners and others permanently resident abroad.

The second part of the process by which the payment of a debt is to be enforced, when the person or property of the defendant is under the jurisdiction of a foreign power—that, namely, by which the claim, having been duly substantiated, it only remains to compel its satisfaction, is of considerable interest. Where the person or property to be acted upon is within the jurisdiction of the court giving judgment, the process is, usually, precisely the same as though both parties were natives. Otherwise, of course, any enforcement of the judgment must be subject to the goodwill of the foreign power in question.

Now, it is worthy of remark, that the governments of Europe very generally agree in granting power for the execution of a judgment in such cases; but they disagree widely as to the terms on which they grant it. And, with reference to these terms, the governments referred to may be divided into two classes:—A. Those willing to grant the power upon application backed only by sufficient evidence that the judgment has been duly obtained according to the law of the country in which it has been obtained, and on condition of reciprocity. B. Those in which it is required that, before the judgment be enforced, the whole matter in dispute shall be more or less minutely re-investigated before a native tribunal. The principal modern authorities on international law seem to be agreed that, subject only to three conditions, a requisition by one government upon another for enforcement of a judgment given by a court of the requiring government, ought to be complied with, and might, with justice, be enforced by war. These conditions are:—*a.* That the court giving the judgment shall have had jurisdiction in the matter; and shall have been so recognised, by agreement, tacit or express, between the two nations. *b.* That the foreigner shall have been duly heard, and shall have had allowed all due right of appeal, as though he had been a native. *c.* That the case shall have been decided on its merits, according to the law of the country in which it is tried; and that the decision shall, in that country, be final. To these it may be added, that no nation could justly claim the benefit limited by these conditions except on terms of reciprocity. In acting upon these views of international obligation, the British Government may justly claim to hold an honourable position. Without inquiring about, or stipulating for, reciprocal advantages—without asking for more than ordinary evidence of the competency of the foreign court to deal with the matter, and of the regularity of its proceedings, the courts of this country use all the power they possess to enforce foreign judgments against British subjects, or their property. In fact, we are quite as liberal to foreigners as to each other. A judgment obtained in a supreme court of one of our three kingdoms, cannot, without a like preliminary process, be enforced in either of the others. Nor could this course, liberal as it is, be objected to, provided it were met by reciprocal action on the part of foreign governments. Unfortunately, however, it is not so. On the continent of Europe, as I have stated, there are two prevalent modes of meeting such an application. The more modern, or what, for the sake of distinction, may be termed the *French*, rule, which requires (B) that the subject matter be reinvestigated before a native tribunal, prevails in France, in Belgium, and in those parts of Prussia, of Bavaria, and of Hesse, lying nearest to France, and in which the modern legislation of that country has been adopted. It also prevails in Holland, in some of the Swiss cantons, in Geneva, and in the Kingdom of the Two Sicilies. In Russia, and in Spain and Portugal, the French practice is not expressly adopted, but a foreign judgment is recognised only as evi-

dence, to be used before a native court, in a re-investigation of the case. And it is the same, or nearly so, in Sweden and Norway. The more ancient, or what may be termed the German, rule (A) prevails throughout the greater part of that country; in Prussia, excepting the Rhenish provinces, in Hanover and Saxony, in Brunswick and in Baden, in Hesse (except its Rhenish section), in a majority of the Swiss Cantons, in Sardinia, and in the States of the Church. It also prevails in Denmark. The last-mentioned and more liberal practice is found, by the testimony of the best authorities, to confer considerable advantages upon all the parties concerned. This is precisely what might have been expected. Obstructions to the recovery of debts invariably afford to fraudulent debtors additional motives to the incurring and to the increase of debts. It has a like operation upon creditors—*i.e*, warning them not to give credit freely; and this warning operates, to some extent, even where fraud is altogether out of the question. The expense and delay of a new trial in the country of the foreign debtor is, in most cases, a mere obstruction of the course of justice; and where the laws and modes of procedure of the two countries are substantially the same, it almost invariably assumes this character. On the other hand, confidence in the judgment of his native court upon all transactions falling properly within its jurisdiction, and the certainty of its being enforced, inevitably and justly induces a corresponding degree of liberality on the part of a creditor dealing with a foreign debtor. Commercial transactions are thus extended in proportion to the safety of their basis, the foreigner has the benefit of higher credit, the home trader that of larger sales, and both countries profit by an extension of their commercial intercourse. In the United States of America the effect to be given to judgments obtained in foreign countries is not yet very clearly settled. By the constitution, a judgment obtained in one state is held good in all the others; and it is the same with the judgments of the Circuit Court, when relied upon in the state courts. But it has been decided that this imparts to such judgments only a general validity, which may be impeached on the ground of want of jurisdiction, irregularity of proceeding, or fraud. So far as the effect of foreign judgment has yet been settled in the United States, the rule adopted has been rather the German than the French one. It is, perhaps, hardly necessary to say that, in all these statements, a necessary avoidance of detail has compelled me to overlook many distinctions, and to speak only of the general effects in each case.

Reverting now to the fifth of the propositions with which this memorandum was begun, we have yet to consider how far the admitted defects of the present system are susceptible of remedy. As to proceedings before judgment, we find that, very generally, on the continent of Europe, in the United States, and in a few places in England, and throughout Scotland, the goods and credits of absent persons and foreigners may be attached, in the first instance, so as to secure, to their extent, the ultimate satisfaction of any claim that may be afterwards duly established. The mode, and

even the effect of the proceeding, are different in different localities; but, wherever it exists, it is found to be beneficial; and it does not appear that it has, when fairly employed, been complained of as unjust or unequal in its operation. So far as it differs from the old English process of execution (that is to say, as it covers not only the goods but also the credits of the party proceeded against), it has lately been adopted into the English law (the Common Law Procedure Act, of 1854, ss. 60, 61), authorizing the examination of any person against whom a judgment has been obtained, as to any debts due to him. And upon the evidence afforded by such examination, or upon affidavit of the plaintiff of the existence of any such debt, it may be attached to answer the judgment. Nor does there appear to be any good reason why a judicial power wielded by the Lord Mayor's Court in London, and the local court of Bristol, and some other towns in England, and throughout Scotland, assuming it to have been so far beneficial, should not be given to, and exercised by, the the Borough Court of Liverpool, and that as widely and effectually, in point of form, as it is now exercised in any part of the kingdom. As to proceedings after judgment, if the debtor has either goods or debts owing to him within the kingdom, his absence, or the fact of his being a foreigner, does not now obstruct the course of justice. But if the property on which alone the judgment can take effect be within the territory of a foreign power, its operation is subject to foreign laws, the effect of which, as has been stated, is, in some instances, such as to prevent the recovery of the debt, and in others, to place in the way of its recovery apparently only such obstructions as are necessarily implied in the independence of separate nations. Here, then, are suggested two descriptions of reform—one of our internal polity, and the other of our national relation to foreign powers. One within the domain of legislation, the other of diplomacy. Both, however, are based upon the same principle—that of equal justice: what is right in London, or in Bristol, at Leith, or at Havre, cannot surely be wrong in Liverpool. And what our Government willingly does for foreigners, foreign governments may be fairly asked to do for us. It is true that any continuance, and, much more, any extension, of merely local privilege, may be justly opposed. The Chamber had brought under its notice a case decided under the Scottish law of 'arrestment,' and affirmed on appeal to the House of Lords (London and North-Western Railway Company *v.* Lindsay, 30 L. T. Rep. 357); and it undoubtedly proves that that law may be used in an objectionable manner. But the evil, in such cases, obviously arises from the partial and internal application of a law properly based on considerations purely international. That persons resident within the City of London, or within the City of Bristol, or in Scotland, should be permitted to treat the rest of her Majesty's subjects as foreigners, and to wield, as against them, a remedy of so exceptional and summary a character, may be an anomaly calling loudly for correction. Acknowledging the same government, the inhabitants of the United Kingdom should un-

doubtedly be made amenable to the same tribunals. But the decision of this point by no means settles the question, which is, whether her Majesty's subjects, as such, do not, in their dealings with foreigners, really need some such protection as may be afforded by the law in question. And inasmuch as this law is found prevailing, as against them, in all, or nearly all, the countries with which they have commercial dealings, the Chamber are of opinion that they may justly claim the benefit of it, at home, as against the inhabitants of those countries; and that the case referred to, and others which have been mentioned in the course of the discussion which that case has excited in the public press, while they expose the impropriety of maintaining any such law in favour of the inhabitants of any one section of the United Kingdom as against the rest, do also illustrate and enforce the probable efficacy and value of the law, if applied only against foreigners, and in cases in which other modes of redress are clearly inapplicable. The sixth proposition hardly needs to be enforced. Chambers of Commerce exist for practical purposes; and they can hardly find one more legitimate than that of urging upon the governments under which they act the intelligent consideration and discreet enforcement of measures calculated to facilitate the administration of justice in mercantile affairs, and at the same time to promote the intercourse, and secure the amity of the great nations of the earth.

On the Sheriff Courts of Scotland. By JOHN D. MILNE, Junior, *Advocate, Aberdeen.*

THE Sheriff Courts or County Courts of Scotland are of very ancient origin, but their present constitution is regulated by what is called the Jurisdiction Act, 20 Geo. II., passed in 1747.

The principal sheriff (except in the counties of Edinburgh and Lanark, or Glasgow) is not bound to residence within his county, but must hold a certain number of courts there annually. Sheriff substitutes reside within their counties all the year round. Each county has at least one sheriff substitute, and in the case of populous or widely spread counties the number is increased, there being three, all holding courts, in the populous town of Glasgow; three holding courts in the rural districts of the same county; and four holding courts in different districts of the wide and inaccessible county of Inverness. Full legal qualification is requisite for the appointment of sheriff substitute.

The office of sheriff is held by appointment from the Crown; that of sheriff substitute is held of the principal sheriff. Both the appointment and removal of a sheriff substitute requires the consent in writing of the Lord President of the Court of Session, and of the Lord Justice Clerk; and both the office of sheriff and the office of sheriff substitute, are equivalent to life appointments. The salaries

of the sheriff substitutes may not exceed 1000*l.* (their duties being constant and laborious, especially in populous counties). The salary of the sheriff principal may not be under 500*l.*, his duties being less arduous, and admitting of his continuing to practise in the supreme courts, though not permitted to appear in causes connected with his own county. Both salaries are paid from the public revenues.

In each county there is a sheriff clerk (appointed for life by the Crown). His salary is paid from the public funds, and he has the power of appointing assistants.

In addition to stipendiary sheriff substitutes, it is usual for the sheriff to appoint several honorary sheriff substitutes, holding nevertheless the proper legal qualification; who, in case of emergency, may act in place of the stipendiary judge. In connection with the several Sheriff Courts of Scotland there have arisen bodies of legal practitioners, whose number in some of the towns is considerable. No one is admitted to practise in the court until he has served an apprenticeship in an attorney's office, and has been examined by the sheriff or persons appointed by him on his knowledge of the law. In some of the courts, these bodies of practitioners hold Charters of Incorporation. Barristers of the supreme court may also plead before Sheriff Courts; but the business is conducted almost entirely by the local bar.

In these general features the chief difference of the Scotch County Courts from those of England lies in the fact that English County Courts have judges only of one rank, whereas those in Scotland have two ranks of judges, one subordinate to the other.

The civil jurisdiction of the Sheriff Courts of Scotland has from the first been very extensive.

On application, these courts grant immediate execution on bonds or bills of any amount exigible from persons resident within the territory.

They adjudicate on claims founded on deed, contract, or other transaction between man and man, to the effect of enforcing rights, or of recovering damages; and there is no limit to the amount that may be sued for before them. Even in the case of wills, parties may have their interests determined before the Sheriff Court; and damages may be recovered for slander.

A pauper, on being refused relief under the poor law, may apply to the sheriff to have his right of relief declared; although the sheriff cannot adjudicate on the amount of that relief.

An insolvent debtor may on incarceration apply to the Sheriff Court for protection, and on assigning his goods for the benefit of his creditors, the judge after a certain time may liberate him at his the judge's discretion. Fiats of bankruptcy may now also be granted by sheriffs, and the bankruptcy law may be administered at their sight.

Questions, however, may not be tried before the Sheriff Courts involving disputed title to heritable estate; nevertheless these courts rule all questions affecting the possession of heritable estate, till either party choose to bring action in a higher court to have his rights declared. Thus, if a person has for years possessed an heredi-

tament, either as owner or as occupant, and another seeks to encroach, the sheriff will grant injunction or interdict, protecting the former in his possession, till the latter bring his action in a higher court. The sheriff has also special power in reference to possession under leases.

In like manner deeds completed according to form, including wills, may not in general be challenged in the Sheriff Court; but the sheriff will give effect to these so long as any party interested do not bring an action of improbation to reduce them before a higher court.

Sheriff Courts have no jurisdiction to establish the validity of marriage, to grant divorce, or to declare legitimacy; but, as in other cases, they interpret and enforce the duties of the various relations of life till these are specially called in question before a higher court; they adjudicate therefore in actions of alimony. Till a husband bring a suit of divorce before a higher court, the sheriff will enforce the obligation on that husband to maintain his wife; and the sheriff's powers are even greater with respect to the aliment of parents and of children.

On the whole, the jurisdiction of the County Courts of the two countries are not dissimilar—that of Scotland being somewhat wider in its range. The chief difference is, that the jurisdiction of the English County Court is limited to 50*l.*; while, in the Scotch County Court there is in the value of the cause no limit whatever.

In causes not exceeding 12*l.* in value, the procedure in Scotland is analogous to that of the County Courts of England, the causes being disposed of summarily without written pleadings. No attorneys' fees, however, are allowed in Scotland in causes below 12*l.*, unless on very special occasions; and there is no provision for trying small causes by jury. The judge determines on evidence both the facts and the law. In general the whole cost of causes of this value therefore is a few shillings—from 3*s.* 1*d.* where both parties to the cause reside in the town in which the court is held—to a few shillings more according as travelling expenses must be brought into computation. The number of causes tried in the Sheriff Small Debt Court, as it is called, is enormous. In the city of Aberdeen (70,000 inhabitants) these courts are held weekly, and the number of causes decided per annum, after hearing parties, is about 2500; that number of course including many from rural districts. In addition to the City Courts, Circuit Courts are held at intervals, and in the county as a whole (including another weekly court in a sub-district) the annual number of these small debt causes decided on hearing is about 4000; besides 2400 in which decree passes by default—this being for a population of 212,000. The total number of causes under 12*l.* decided after hearing parties in the Sheriff Small Debt Courts of Scotland is no less than 60,000 per annum; while the number in which judgment is given by default cannot be much under a like figure.

The democratical character of the Sheriff Small Debt Courts of Scotland, where all ranks must indiscriminately appear in person and plead their causes in a large assembly chiefly of the working classes,

whose court it peculiarly is, is sufficiently annoying to people of the better ranks—especially when disputes arise between master and servant, or servant and mistress involving some domestic altercation; and it involves, in truth, some real inconvenience, the time of the one class being far more valuable than that of the other. But this seems to be a necessary evil accompanying a great good. It is frequently, no doubt, used by the inferior classes as a successful instrument of extortion; for many people will far rather pay what is not due than be dragged into the *melée* of such a court; but, in a society where the rich have otherwise so much on their side, it is for them in such a particular to undergo in the cause of justice even a disproportionate share of inconvenience.

In causes of a value exceeding 12*l.*, the procedure is very different from that applicable to small debts, and very different from that obtaining in the County Courts of England. It is in fact analogous to procedure in the superior courts. The pleadings are conducted by attorneys; and the cases of the contending parties are reduced to writing.

After a statement of facts, accompanied by a short note of pleas, has been lodged and revised by each party, the record is closed, and neither party may add to his statement. The sheriff thereon considers whether the record affords sufficient materials for judgment, and if so, decides the cause at once; if, however, parties are at issue on the facts, the sheriff allows a proof (which however must be strictly confined to the contents of the record), and on the import of the proof and record taken together judgment is given. The proof is led, not before a jury, but before the sheriff himself, who makes note of it *currente calamo*, which note forms part of the process; and, if the cause is appealed, save the need of a second proof in presence of the superior judge. The only mode by which either party may submit a Sheriff Court cause to a jury, is applicable to claims of greater value than 40*l*, which, when the stage for proving has arrived, may be appealed to the Court of Session with that express object. The power, however, is rarely exercised, chiefly owing to the great expense attending it, and the uncertainty of the result of a trial by jury.

The expense of procedure in the recovery of small debts in Scotland, (below 12*l.*), we have seen to be quite nominal. That of procedure in causes above that value is necessarily greater.

Court dues, payable for the issue of a summons or plaint, or at any stage of procedure, are in Scotland very trifling; no matter how considerable the value at issue in the cause, the chief expense arises from attorneys' fees, and from the expense of proof. In ordinary circumstances the attorney's expenses vary from 2*l.* to 10*l.* a side. On the whole, I should suppose that a suit before the ordinary Sheriff Court of Scotland is more expensive than a suit in an English County Court.

In Scotland, the judgment of the sheriff substitute in causes under 12*l.* is, as we have seen, final. In England, the judgment of the County judge in causes under 20*l.*, is final.

In Scotland, causes of a value between 12*l.* and 25*l.* may be appealed to the principal sheriff, whose judgment is final; and the appeal may

embrace questions of fact as well as law, as these facts may be read in the notes of evidence taken by the inferior judge. In England, causes of a value between 25*l.* and 50*l.* may be appealed to one of the superior courts, whose judgment is final, but the appeal is limited to points of law.

In Scotland, causes of a value exceeding 25*l.* may be appealed from the sheriff substitute to the principal sheriff, and from him to the superior courts; or they may be instituted in the superior courts directly, though in practice they seldom are so, unless the amount sued for be very considerable. In Scotland, leaving small debt causes out of account, one-fourth of the causes in Sheriff Courts are for values exceeding 50*l.*

The working of the Scotch system of appeal is shown by the following statistics, applicable, for the year 1851, to a county of 212,000 population :—

Number of causes (not being for small debts) decided in the year 1851, in the Sheriff Courts of the county, in absence 674; after litigation, 845; together, 1519. Of these causes there were appealed to the principal sheriff 108; the principal affirmed the judgment of his substitutes in 91, and altered that judgment in 17.

In addition to causes finally decided as above, there were nearly 3000 intermediate orders or judgments of the sheriff substitutes, in reference to the preparation of causes, points of evidence, &c., 63 of which were appealed to the principal sheriff, who affirmed 54 of these judgments, and altered 9. The number of causes carried by appeal from the Sheriff Courts of the same county to the superior courts varied from 2 to 7 annually, over a period of five years.

While I approve generally of the Scotch system, in contrast with that of England, I do so under important qualifications. The incomparable facilities afforded for the summary disposal of causes under 12*l.*, at a nominal expense, are remarkable; at the same time, I do not think it advisable to extend that method of disposal to causes of greater value, as in England. For causes of greater value I think there ought to be a Court of Review, as in Scotland, but I am satisfied it would be an improvement that the review could be obtained in a summary form.

On the other hand, in causes whose value exceeds 25*l.* or 30*l.*, I think that the Scotch system is right in asking that the cases be reduced to writing. I consider, however, that the system of appeal allowed in Scotland is far too elaborate and expensive. One opportunity of review ought always to be afforded, and the status of the tribunal of appeal ought to correspond with the value of the cause; but one opportunity of appeal is all that is needed.

In causes under the value of 100*l.* I would therefore desire that the decision of the County Court of Appeal were final; and as those exceeding 25*l.* or 30*l.* would be decided on written cases, every security would exist for obtaining a deliberate judgment.

In causes above the value of 100*l.*, while it seems proper to admit the power of appeal to a superior court, it seems equally proper to

place that power under special regulation. There are several superior courts, and some of these are divided into sections. My view is that, according to the value of the cause appealed, the appeal should be to one or other of these courts, or of these sections; but that the judgment of the Court of Appeal, however constituted, should be final. In Scotland, for example, let an appeal of a value between 100*l.* and 500*l.* be to any one of the Lords Ordinary of the Court of Session; let an appeal of a value between 500*l.* and 5000*l.* be to the Inner House of the Court of Session; in causes above 5000*l.* let the appeal be to the House of Lords; and in all these cases let the decision of the Court of Appeal be final.

The Sheriff Courts of Scotland have also a wide criminal jurisdiction, extending to the infliction of fine, and to sentence of imprisonment. In a county of 212,000 inhabitants about fifty criminals are tried annually before a sheriff and a jury, and about 150 are tried by the sheriff summarily without a jury.

The sheriffs likewise have many ministerial duties assigned to them, such as the annual inspection of public records, of prisons, and of lunatic asylums, presidence at the election of members of Parliament, &c.

After this sketch, one striking feature of difference between the County Courts of the sister countries will be more readily understood: it is, that the Sheriff Courts of Scotland show far more organization than the County Courts of England. In place of being a series of circuit courts, having little connexion with each other, the Sheriff Court has its permanent seat in the chief county town, which is already the centre of business for the district. The experience of the Small Debt Courts of Scotland, which combine the two systems, shows that people prefer in general to frequent the city court to attending the same court on circuit. They usually have errands to a chief town on other business, and it puts them to no inconvenience to combine both. On the other hand, the advantages to the court and to the conduct of business are manifest. The sheriff and sheriff clerk sit there in permanence, and hold diets of court daily, or every other day; in addition to which, they are always at hand to grant warrants and writs in cases of emergency. Even when the principal officials are necessarily absent, honorary officials step into their place.

On these principles the Sheriff Court system is far more elastic than that of England, and admits of being adapted to a variety of purposes.

In addition to this, the permanence of the County Court in particular towns is accompanied with the growth of a body of legal practitioners of respectable qualifications. This cannot be looked for in a town where courts are only held occasionally; it is the natural counterpart of a system where business is concentrated, and where daily sessions of the court are held. I need not say that it is indispensable to the efficient conduct of business.

It was these arrangements that enabled the Legislature, in the recent statute reforming the Bankrupt Law of Scotland, to extend to the Sheriff Courts the jurisdiction in sequestration previously limited to the supreme courts. No new machinery had to be created.

The various warrants required in bankruptcy could be had at any time, on application to the sheriff or sheriff clerk; the proceedings in bankruptcy causes just took their place on the sheriff's ordinary roll; and as these proceedings had to be carried on in the county town, they obtained all needful publicity. No additional expense was incurred—a separate bankruptcy judge was not for a moment thought of. In like manner creditors from a distance could always depend, through the introduction of a bank or otherwise, on securing the services of a man of business, of independence, fair qualifications, and experience, to look after their interests.

I cannot but suspect that the County Courts of England would be much improved by a similar concentration. The jurisdiction of the commissioners of bankruptcy and of the County Court judges might be amalgamated, and the two bodies of judges distributed into district judges and judges of appeal. To each district judge might be assigned a principal town, in which to hold sittings from day to day for the despatch of business, with power to hold occasional circuit courts within his district; and this judge might adjudicate in bankruptcy as well as in other causes.

On Local Equity Jurisdiction. By JOHN SMALE, *Barrister.*

I PROPOSE to occupy the attention of this department for a very short time, with a few remarks on the importance of localizing the administration of justice in respect of equitable rights; in other words, to consider whether it is desirable and practicable so to constitute local tribunals as that they may be fitted to determine those questions between litigants, and to afford those administrative benefits for which the Queen's subjects at present ordinarily resort to the High Court of Chancery.

In no part of the country could the establishment of a local equitable jurisdiction be so properly proposed as in the County Palatine of Lancaster, in which, by virtue of ancient charters, a local court of Chancery has always existed, which has within a few years grown into considerable importance—a local jurisdiction, co-extensive in its powers within the County Palatine with the High Court of Chancery, and in which a great number of causes have been decided and promptly disposed of, to the entire satisfaction of the suitors.

This jurisdiction extends over persons and property, when either is within the limits of the County Palatine; it is said to be exclusive when the subject-matter as well as the parties in litigation are within the limits, and old authorities are cited for this proposition; but it does not appear to be so now universally in practice. In other cases the jurisdiction is concurrent with that of the courts at Westminster. See 13 & 14 Vict., c. 43; 17 & 18 Vict., c. 82.

See also 16 & 17 Vict., c. 137, sects. 29, 35, and 37; 11 Geo. IV., and 1 Will. IV., c. 36; 2 Will. IV., c. 38.

The judicial authority of the Palatine Court of Chancery was but little resorted to, and the office of Vice-Chancellor was for many years little better than an honourable sinecure; but the Vice-Chancellors, Sir William Page Wood and Sir Richard Bethell, successively felt the importance of bringing home to the manufacturers of Lancashire and the merchants of Liverpool the advantages of having their equitable rights and remedies judicially determined, as it were, at their own doors; and the first act of modern time, regulating the practice of the court was passed in 1850. In consequence of this act, the business of the Palatine Court of Chancery became more important.

The present Vice-Chancellor James, emulating his predecessors, increased the number of equity sittings, so that the court sits four times at Manchester, and as many times at Liverpool, in each year. The ordinary work of the court is carried on by three Registrars, one of whom is always to be found at each of these places and at Preston, daily engaged in disposing of the greatly increased and increasing chamber business of the court. These officers perform the same duties as the Registrar and Judge's Chief Clerk in the High Court of Chancery. The number of suits and petitions disposed of in the last year by this court was considerable, being an increase on the business in years before the Palatinate Chancery Acts exceeding eightfold, dealing with cases in which property to a large amount was involved. From these decrees and orders the right of appeal is now to the Chancellor of the Duchy and the Lords Justices of England, or any two of them, by which in practice the appeal is to the Lords Justices alone; but although there have been some appeals, I believe that no decree or order of the Vice-Chancellor of the Palatine Court of Lancaster has been reversed by their lordships. Here, then, we are in a county in which the energies of a succession of three able judges have built up an equity jurisdiction as efficient as that of the superior courts at Westminster, and which has worked itself into public support by force of its own merits, notwithstanding the prestige of the superior courts at Westminster, over which it has in practice no other advantages than that it is a local court where equity is satisfactorily administered, whilst it is subject to the prejudice with which among the many every apparent novelty is regarded.

We start, then, on the present inquiry with the fact that it is not only practicable to have local Equity Courts, but that one at least is now in a satisfactorily working and most efficient condition. I need scarcely add that the costs to the suitor of redress in this court are in effect much less than in the courts in Westminster Hall.

This brings us to consider shortly the rise and progress and results of the County Courts Acts, as a preliminary to the more precise consideration of whether similar legislation in respect of localizing equitable jurisdictions would probably be attended by similar results.

Vague speculations in favour of local jurisdictions to a limited extent were obtaining attention before 1830. In various populous districts the want of a local court was so much felt, that each successive session passed special local courts Acts, with the imperfections incident to isolated efforts to meet special evils. It remained for Lord Brougham to bring the whole subject before the public; and after the speech of that great statesman in the House of Commons, on the 29th of April, 1830, the question assumed at once a national importance. But this beneficial measure, like all others of great importance, was not obtained *per saltum;* it had to be fought for year after year, and session after session, until after discussions extending over fifteen years, the local courts were matured and established in 1845, limited in jurisdiction to 20*l.*, which in 1850 was extended to 50*l.* From the County Courts' return of the 19th of July, 1858 (Sessional Paper, No. 445), it appears that the amount of money for which plaints were entered in 1857 was 1,937,745*l.*; judgments obtained, 978,592*l.*; paid into court under judgment, 776,711*l.*

It may be safely affirmed that in nearly half of the cases at least the debts that have been recovered would have remained unpaid, whilst in the cases in which the law would have been put in force, the poor debtor would, under the old system, have been mulcted in heavy and ruinous costs. It is also to be observed that hitherto at least the ready remedy of these cheap courts has had no effect in increasing the litigious disposition of the people.

On the whole it may be safely affirmed that within a period of about eleven years the County Courts have taken such root as to form one of the institutions of the country, which no man would have the hardihood to attempt to destroy, while the enlargement, rather than the curtailment, of their jurisdiction may be contemplated.

Are then the subjects for judicial investigation in equity and at common law so dissimilar, that a system which has been eminently successful in facilitating the administration of justice in one class of cases is unsuitable for the other?

We shall best appreciate this question by considering the peculiar objects of jurisdiction in equity, as distinguished from the ordinary remedies at common law

It is the special object of the common law to protect personal liberty, and to give remedies of redress for injuries to property, and to defend it against ouster, trespass, nuisance, waste, destruction, or disturbance. The common law, by its practice, ordinarily compels the parties in litigation to reduce their disputes to simple questions of fact, or law, as between a single plaintiff or class constituting plaintiffs, all in the same interest, and a single person or class constituting defendants, all in the same interest, leaving the questions, or series of questions, of fact to a jury, and the question, or series of questions, of law to the judge; and it must be admitted that the simplicity of the common law has proved its ability readily to adapt its questions to tribunals less artificial than those of the high courts of common law in Westminster Hall.

The powers and duties of a court of equity are, however, more complex, and the questions raised are also between more than two parties—sometimes very many parties, each seeking a remedy or right different from that of the other parties in the same suit.

Sir James Mackintosh has said of equity, that 'it is a jurisdiction so irregularly formed, and often so little dependent on general principles, that it can hardly be defined, or made intelligible, otherwise than by a minute enumeration of the matters cognizable by it.'* Not admitting the premises, the conclusion of this eminent author, judge, and jurist, must be accepted, and I shrink from adding to the numerous definitions of equity jurisprudence—and I must refer to Lord Redesdale's admirable work on equity pleading, first published in the year 1780, anonymously, and which is still the only work of authority, by an English author, on the subject of which it treats. It would be too much to repeat the language of Lord Redesdale,† or of the great ornament of the American bench, Mr. Justice Story,‡ but I assume that no person will venture to form an opinion on equity jurisdiction who is not familiar with the outline of equity jurisprudence, as expounded by one at least of these eminent judges.

Limited as is this paper, it is important shortly to enumerate the principal subjects in which an equity court gives relief. It remedies the results of accident and mistake, it relieves from actual and positive fraud, and from such inequitable bargains as are classed under the term constructive frauds—it settles and adjusts the rights of persons beneficially entitled under trusts, and exercises a salutary control over trustees of all kinds—it protects clients from their legal advisers, children and wards from undue influence—it determines the rights of mortgagors and mortgagees, and the priorities between several incumbrancers—it determines the rights as between sureties and principal debtors and their creditors, it ascertains and enforces a just contribution between co-debtors—it protects against waste—it settles questions relating to confusion of boundaries, rights to dower, partition, and rents—it adjusts all questions between partners, and it administers the estates of deceased persons, doing justice between creditors, legatees, devisees, and real and personal representatives—and in all these matters it takes and adjusts, and works out all the accounts between all parties, and distributes the funds or liabilities in litigation, as the case may be, from or among two to two hundred and more claimants, each having or being subject to the most varied rights or liabilities.

In aid of all these rights, and to protect property during litigation in the common law, or other courts, it extends its extraordinary jurisdiction by injunction, and by another extraordinary exercise of power it decrees and enforces the specific performance of contracts, as between vendors and purchasers of estates and other property.

Indeed, it may be said generally, that there is not a wrong relating to property, for which a court of equity, either in exercise of its

* 'Life of Sir T. More,' i. p. 457.
† 'Mitford Equity Pleading,' p. 111, Jeremy's edition.
‡ Story, 'Equity Jurisprudence,' §§ 30, 31.

own inherent jurisdiction, or in aid of the jurisdiction of other courts, has not a remedy.*

Now whoever compares the questions which arise in County Courts with those above enumerated, must admit that high as should be the mental qualification for the due discharge of the duties of a County Court judge, a very large amount of acquired learning, both in principle and practice, as distinguished from general talent and scholarly attainment, is necessary in a judge in equity *in the first instance*, so as to enable him to decide rightly either without any bar or with the aid of an incompetent advocacy. This consideration leads to the conclusion that *so long as the practice in law and equity remains distinct*, and until the whole bar shall be educated to practise in both departments, the propriety of which is a moot question, on which it would be irrelevant here to enter, it will be unwise to entrust any important equitable jurisdiction to the judges, who have by study and practice specially fitted themselves to preside with advantage to the country and honour to themselves in the County Courts.

We know that custom has so long prevailed in separating the spheres of study of common law and equity lawyers, that even where incidentally a question of equity comes before a gentleman of the common law bar he usually gives his opinion on the legal points, and declines to give any opinion on the equitable question, referring it to an equity barrister, and that the latter in the same way hands over questions of common law to the practitioners on that side of Westminster Hall. Now, if in London, with all its appliances, the most learned members of the bar thus shrink from giving opinions on matters to which they have not devoted their special attention, will the responsibilities of office,—will the necessity to decide in remote districts questions as nice as can arise before the Lord Chancellor,—will the absence of all learned aid, enable a common law barrister, when elevated to a judgeship, to pronounce such decisions as will satisfy the public mind?

But the eminent persons who, from practising in one department all their lives, have, on the instant, crossed to the other side of Westminster Hall, will be cited as practically and entirely proving the contrary of the propositions just advanced. I admit that a Gifford, a Lyndhurst, a Brougham, a Cranworth, a Truro, and a Chelmsford may safely and advantageously step over the barriers which separate the courts of law and equity. These are the powerful intellects from whose eccentric movements the ordinary courses of ordinary men are not to be estimated. On the other hand, could not each one of us, if it were not invidious to do so, on the instant enumerate a list of eminent lawyers who, great in their own department, would have been "in endless mazes lost," if they had had to wander out of the beaten track, the *via trita* of their lives?

It must be remembered that, although among the judges of the County Courts there are men whose attainments would have

* 2 Vern. 362.

done honour to the bench, yet that ordinarily these judgeships are not the prizes to which the highest aspirants for office among lawyers usually look, and that the less elevated the rank in the profession from which judges are selected, the less likely is it that they will be found competent to grasp, not only the subjects of their previous study and practice, but subjects so vast, so intricate, and in many respects so perplexing, as those which daily exhaust the attention of the most eminent of our equity lawyers.

I assume, on the whole, it must be conceded that in order that the administration of equitable justice locally may be efficient, the judges must be men who thoroughly understand its principles and practice.

It remains to be remarked that the judicial work of the County Court judge ordinarily begins and ends with the trial.

Not so with a case in equity. At the hearing, questions of law, or fact, or both, are sometimes decided; at other times, they are merely indicated, and are left to be worked out at chambers, and a decree or order is pronounced, or rather is sketched out. Now, the union of learning, and acuteness, and labour that must be brought to bear to fill up this sketch, and which elaborate the written decree or order, can be appreciated only by those who are familiar with the actual practice of the Registrar's office, where all these decrees are drawn up with careful accuracy.* Then, again, inquiries are to be made; intricate, inaccurate, and defective accounts are to be unravelled; the affairs of a family or of a partnership are to be settled in a manner that raises innumerable questions, each sometimes equal in difficulty to any that can form the sole question in a cause in a County Court, or at law in Westminster Hall. All this machinery elaborates at last a certificate of results, which in time forms the foundation for reconsideration; or if the cause shall have escaped that ordeal, then for final adjudication, in the presence, as very frequently happens, of numerous parties, each having an interest conflicting with that of every other party, or between the creditors, relatives, and legatees of some clever testator, who has created every possible difficulty by his self-satisfying autograph will, or of some intestate who has little else to leave to posterity but the arrangement of his embarrassed affairs.

A court which has to give to any locality the benefits of equitable justice must, to meet all the objects above indicated, be not only presided over by a judge learned on all these subjects, but have able officers representing the registrars, competent to reduce the decrees into proper written form, and also supplying the place of the chief clerks, under the judge's direction, to pursue the inquiries and adjust the accounts, and settle the priorities and rights of the parties.

These considerations lead up to the conclusion that any alteration which localizes equitable trials without all these provisions, may

* The variety and intricacies of decrees in Chancery can be best in some degree understood from 'Selon on Decrees in Chancery.'

possibly increase litigation, but that it will be without the result of an adequate administration of justice.

To supply the machinery of competent judges and officers, necessary to insure any prospect of success to local equitable jurisdiction throughout England, would require an expenditure for which the public is not as yet prepared. Discussions in Parliament would, doubtless, do much towards a due appreciation of the question. But this effect is usually of slow growth. It seems therefore desirable that an attempt should at once be made, if possible, to set up some one court within some one district, to demonstrate what such courts should be and what they can accomplish. This might be done if the consent of the judge and the suitors were obtained, by a very short Act of Parliament constituting the Chancery Court of the County Palatine to be such a court, with exclusive jurisdiction over all cases in which the subject matter chiefly lies within the locality, and to an extent in amount or value, to be settled after due consideration, and giving to the vice-chancellor of the court in this county, as its judge, the most ample authority, and even a direction to simplify the practice and pleading by such orders as should, in his judgment, tend to render the proceedings as simple and inexpensive as possible.

Among the advantages of this plan would be the following :—

1st. That it would at once relieve the High Court of Chancery from a portion of its labours, which has been proposed to be done by the appointment of a fourth vice-chancellor, and thus render that plan unnecessary.

2nd. That the machinery is already complete and in operation.

3rd. That the expense of the experiment thus limited to one locality would, under any circumstances and with whatever result, be small.

4th. That the judge and officers being the only persons conversant with a local practice, as already localized, they are at once best able to appreciate the difficulties and wants of a local equity court, and to improve the working of the system, if powers sufficiently large for the purpose were entrusted to them. It does not become me to do more than allude to those personal qualities and attainments which eminently fit the judge of the courts, now held within this Hall, to superintend the formation of a code of practice and procedure fitted for local courts generally, and to work out the proposed experiment.

5th. The court, when the plan shall have worked itself into a regular shape, would form a system which might be gradually and safely extended.

6th. The plan would avoid the enormous loss incident to the miscarriage of any general scheme.

7th. But the working of this proposal would be no impediment to any ventilation, by discussion, of the general subject in Parliament or elsewhere.

8th. The time which would elapse before this plan would be so far matured as to be introduced throughout England, would afford an opportunity for the consideration of the question whether, and to what

extent, the various provisions already made for disposing of matters of local jurisdiction generally may be improved.

It appears to me that much may be done by re-arranging the duties of the various judicial and quasi-judicial officers throughout the country, to provide at a comparatively small cost to the public, the additional judicial and administrative strength necessary to introduce a local equitable jurisdiction throughout England.

In addition to the sixty County Court judges, we have about one hundred recorders of cities and towns, and a number of revising barristers. Now all the duties of recorders and revising barristers might well be performed by the County Court judges, thus ultimately producing a great saving in these salaries. Again, we have a number of commissioners and registrars in bankruptcy, and commissioners in insolvency, and commissioners and inspectors of charities. Now, the questions which most frequently come before these judicial persons are merely equitable, and surely such arrangements could be made as that bankruptcy, insolvency, and public charities should be committed to the judicial officers to whom the local administration of equity shall be entrusted.

This arrangement of judicial duties would go far to supply the necessarily increased judicial force which the establishment of local equitable courts would require.

There are other judicial or quasi-judicial functions, including those performed under the Court of Probate, now separately provided for, which might well be merged in the local court jurisdiction in law or equity.

But further, it is not improbable that some system of registration of titles will ere long pass into a law, over which it will be proper that gentlemen well versed in real-property law should preside, whose presence will be always required, but whose learning and active superintendence need but seldom be resorted to.

Now the local equity judge will well perform all the duties of such an officer. Indeed, the Master of the Rolls, at this moment *ex officio*, has the patronage and is also the superintendent of the Chancery Enrolment Office, and he is consulted on all questions of difficulty by his officer, the Clerk of Enrolments; and in reference to such enrolments he exercises a general superintendence and control, such as a local equity judge could exercise in the same way over the proposed local registries of titles.

The limits which are set to this paper do not enable me to illustrate the subject as fully as I could have wished to have done; and in submitting these few observations for consideration, I must omit several other suggestions which might usefully have been made in their support.

The conclusions to which this paper point are shortly—That the successful working of the County Courts, and the fact of one equity court of local jurisdiction being in satisfactory operation, show the practicability of local equity courts in England; but that the peculiar difficulties of equity jurisprudence and practice render

caution necessary in establishing such local courts. That there being one efficient equity court with local jurisdiction in existence, it would be the most prudent course at once to give to that court exclusive jurisdiction, to at least some sufficiently large though limited amount—a jurisdiction which it already has concurrently with the High Court of Chancery; and that it would be necessary to give to the judge all the powers which he may require to enable him to diminish the costs of procedure, and to expedite the decision of causes. That efforts should in the meantime be made so to arrange the existing judicial strength of the country in local affairs, as to render the appointment of a sufficient number of local equity judges in due time not only desirable but practicable, and no excessive burden to the country.

The course here suggested may be thought by some persons too full of delay to be adopted. Many will say, 'Mora omnis ingrata est,' and stop there. Lord Bacon, however, adopting this complaint, turned it into one of his aphorisms, and he said, 'Mora omnis ingrata, sed facit sapientiam;' and this general if not universal proposition is especially applicable to legal changes, as to which it behoves us to ascertain that they are not merely a reform, but an improvement.

The Association will not forget that its labours are directed to no party or ephemeral purpose; that the reforms they propose are intended for posterity; and if it be true that he who is about to set out on his voyage of life can afford to wait a tide or two, surely this Association, seeking reforms for a long future, can afford, in order effectually to perfect its measures, to prove by safe steps their efficiency, thus insuring their final success; keeping its plans before the public and biding its time, so that a wiser and better measure may be the result of the delay.

SUMMARY OF PROCEEDINGS IN THE JURISPRUDENCE DEPARTMENT.

THE President of the Jurisprudence Department, the Right Hon. Joseph Napier, Lord Chancellor of Ireland, was unable to attend during any part of the meeting at Liverpool. When on the point of quitting Dublin for the purpose of fulfilling his presidential duties, he was informed that as Keeper of Her Majesty's conscience in Ireland, he was debarred from leaving that part of the dominions, unless permitted so to do under sign-manual of the Sovereign, and after the appointment of Commissioners for the temporary custody of the Great Seal. Before the various formalities necessitated by this rule could be accomplished the proceedings of the meeting had terminated; and the address of the Chancellor, the delivery of

which had been postponed day by day in the vain hope of his arrival, was read by Lord John Russell at the concluding sitting on the Saturday; when on the motion of Lord Brougham, the Association, by a unanimous vote, expressed their appreciation of the address, and their regret at the absence of its author.

In these unforeseen circumstances, the chair was occupied at different times by Lord Brougham, Lord John Russell, Mr. Bushell, the President of the Liverpool Chamber of Commerce, and Mr. Strickland Cookson. Mr. Edgar, Mr. Banner, and Mr. Squarey, acted as the permanent and local secretaries of the department. The first-named gentleman, to whom the Association is indebted for his services as permanent secretary during the year then past, resigned his office at the close of the meeting, and was succeeded by Mr. Arthur Ryland, of Birmingham.

In addition to the papers printed in the foregoing pages, the following contributions were made to the department:—'The Law of Infanticide,' by W. B. Ryan, M.D.; 'The Law of Savings Banks,' by E. T. Wakefield, Barrister; 'A Practical Defect in County Court Jurisdiction,' by Bickerton Evans, of the Worcester Chamber of Commerce; 'The Statutes,' by Mr. Serjeant Woolrych; 'Reformation of the Statutes,' by F. T. Sergeant, Barrister; 'Observations on the 'Law affecting Gifts *inter vivos*,' by Edward Webster, Barrister. 'The Transfer of Land,' by E. T. Wakefield, Barrister; 'The Payment of Common and Petty Juries,' by William Merry, Justice of the Peace; 'The Office of Coroner,' by J. Dempsy.

The proceedings of the department were opened on Wednesday, under the presidency of Lord Brougham, by a verbal report from Mr. G. W. Hastings, chairman of the special committee on bankruptcy and insolvency. The report, which, somewhat curtailed, will be found at page 135, expressed the views of a committee meeting held on the previous day, at which all the principal Chambers of Commerce and Trade Protection Societies were represented by delegates.

On concluding his statement, Mr. Hastings moved a series of resolutions, the first of which, stating the reforms required in the administration of bankrupt law, will be found at page 144. The remaining resolutions were as follows:—

2nd. 'That in the opinion of this department the Bankruptcy and Liquidation Bill introduced into the House of Lords by the Lord Chancellor at the close of the late Session fails to meet the above-mentioned requirements.'*

3rd. 'That this department approves of the Bankruptcy and Insolvency Bill prepared by the special committee appointed by the Association at its last annual meeting, and introduced into the House of Commons by Lord John Russell; and recommends the Association to endeavour to obtain its enactment into law with any modifications and improvements that may be found desirable.†

* Seconded by Mr. Darnton Lupton, of the Leeds Chamber of Commerce.
† Seconded by Mr. Downing, of the Birmingham Chamber of Commerce.

4th. 'That the Association be recommended by this department to appoint a general committee on mercantile legislation, constituted similarly to the special committee on bankruptcy, appointed last year, such committee to be charged with the bill now approved by this department.'*

The whole of these resolutions were unanimously adopted. The salient points of the discussion were these:—

Lord Brougham, who laid on the table the Report of the Scotch Accountant-General in Bankruptcy, said that at one time there had been an almost unanimous feeling in Scotland in favour of the introduction into that country, with some modifications, of the English bankruptcy system; that view was taken in the principal trading towns, but opposed by Edinburgh, where the chief trade was in law. His lordship also said it was now admitted on all hands that nothing could be worse than the present mode of paying the official assignee; the consequence of which was, that in one case the emoluments amounted to 5000*l.* a-year, and in another not to 500*l.* It was clear that the official assignee should be paid in some mode compounded both of salary and fees, so as at once to ensure him a competence and to give him an interest in working the estate: a maximum should be fixed, beyond which he should not be entitled to anything, and a minimum, below which his remuneration should not fall. His lordship also observed that the insolvent jurisdiction was utterly unsatisfactory. The wisdom of our Legislature had arranged this distinction between the Bankrupt and the Insolvent Court, that the one had powers of inquiry without powers of inflicting punishment; that was the Bankruptcy Court. The Insolvency Court, on the other hand, could enforce punishment without having the power of inquiry. The bill which he proposed last Session, and which he withdrew, dealt with that matter. He withdrew his bill in consequence of the introduction of the two bills they were now discussing. The Bankruptcy Court was totally deficient in the powers which it now wanted. It was said by the Lord Chancellor, 'Don't give the power of punishment to a judge in bankruptcy, who is both judge and jury too.' Now he was as great an advocate of jury trials as any one; but this was no new proposal. Had not the insolvent judge the power of imprisoning a man for three years without the verdict of a jury? He saw one case the other day where Mr. Commissioner Law had sent a man to gaol without trial by jury for six months, and Mr. Phillips sent another man for eight months. Both these were insolvency cases; but neither Mr. Commissioner Evans nor Mr. Commissioner Holroyd, who sat in bankruptcy, could send a man to gaol for one hour. This was a gross defect, which should be at once remedied.

Mr. Edward Heath, of the Liverpool Chamber of Commerce, in seconding the first resolution, said he had presided over the first meeting of the special committee, composed of mercantile delegates, when they adopted the twenty-four resolutions on which their bill

* Seconded by Mr. Bissington, of the Leeds Trade Protection Society.

was based. He had read over the bill, and as far as he was competent to judge, the sub-committee of nine who had prepared the measure, and of which Mr. Hastings throughout acted as chairman, had most admirably performed their duty. The mercantile community might differ from Lord Brougham's views in some particulars, but they were fully aware of the obligations they were under to him for his assistance in questions of mercantile law reform.

Mr. Rayner, of the Huddersfield Chamber of Commerce, shared in the disappointment which Mr. Hastings expressed with regard to the Lord Chancellor's Bill. That bill kept up the distinction between trader and non-trader—a technicality for which no sufficient reason could be given. The liquidation clauses were ingeniously framed, but would be found very cumbrous in the working; and the interference of a court under them would probably be as great as in ordinary bankruptcies under Lord John Russell's Bill. He recommended the incorporation into that bill of the clauses in the Irish Bankruptcy Act of 1857, regulating the liabilities of partners where a firm became bankrupt; and also that the court should have power to seize the goods of an absconding debtor before adjudication. On the question of County Court jurisdiction he waived his former views as to giving the power of adjudication to those courts, being satisfied with the compromise which the committee had proposed in the bill.

Mr. Sampson S. Lloyd, of the Birmingham Chamber of Commerce, said it was desirable that the grievances of the Bankruptcy Court should be fully known to the Legislature and the public. It appeared from a Parliamentary return, that as to the estates administered in London in the years 1853, 1854, and 1855, the expenses (instead of being, as stated by Mr. William Hawes, 16 per cent.), were no less than 46 per cent.; out of 870,576*l.* only 464,968*l.* being divided among the creditors. The expenses for three years in Birmingham were 49 per cent., and for the whole kingdom not less than 45½ per cent. He felt bound to draw their attention to the incompetence of some of the officials, and the irregularity of others. The Birmingham Commissioner attended only 81 days of the 365, and when there, did not sit more than two or three hours, devolving all the work upon the Registrar, and deciding himself in certificate cases of which he knew nothing. He believed that if Lord John Russell's Bill became law, the expense would not at the utmost exceed 15 or 16 per cent., diminishing as it did the number of meetings, and providing for periodical dividends. Neither bill gave a satisfactory remedy to the creditors with regard to deceased insolvents; and he wished it to be enacted that the executor, in his administrative capacity alone, might commit an act of bankruptcy on behalf of the estate.

Mr. Whitwell, of the Bristol Chamber of Commerce, expressed his particular satisfaction with that portion of the bill which enabled the judges in bankruptcy to call in the assistance of mercantile assessors.

Mr. Lupton, of the Leeds Chamber of Commerce, and Mr. Darlington, of the Bradford Chamber of Commerce, both expressed their entire approval of the bill prepared by the Association.

Mr. Arthur Ryland, of the Birmingham Chamber of Commerce, said that as to the mode of taking a proof of debt the bill did not follow the Scotch law, but aimed at establishing a cheaper system. It was proposed that debts should be proved by each creditor sending in to the official assignee a statement of his account, with a simple form of declaration of its correctness, which, if untrue, would amount to perjury. The official assignee was to examine those declarations with the books, and report to the court; and it would be open to any creditor or official assignee to require the creditor sending in his account to prove his debt. Another mode in which expenses would be saved was by the abolition of the rule now requiring a power of attorney. It was also proposed to abolish the Accountant-General, and to transfer his duty to another officer of the court; and to do away with the messengers and brokers. These officers were abolished in Lord John Russell's Bill, but continued in that of the Lord Chancellor. Four months after the date of adjudication it would be the duty of the creditors' assignee to prepare a statement of his accounts, and hand it to the inspectors, who were to audit the accounts, to convene a meeting of the creditors, and to lay before them the result of the audit, with a recommendation as to how much should be divided. The creditors might affirm or alter the report of the inspectors. This process was to be gone through every four months, until the estate was exhausted, it being in the power of the creditors, at any of those meetings, to delay the dividend. As to the estates of deceased insolvents, the condition in their bill was alternative—either that the deceased had committed an act of bankruptcy within three months before he died, *or* that he had been a trader; in the Lord Chancellor's Bill both conditions must be fulfilled—the deceased must have committed an act of bankruptcy, *and* have been a trader. The Chancellor's Bill was also defective in providing no remedy for the irregular attendance of the Commissioners; while Lord John Russell's measure compelled those judges to sit daily, unless good cause were shown.

Mr. Jowitt, of the Leeds Chamber of Commerce, Mr. Bissington, of the West Riding Trade Protection Society, and Mr. Lillyman, of the Liverpool Trade Guardian Society, strongly supported the Association Bill.

Mr. Edmund Moore, of the Equity Bar, said that the Government bill did not go so far as the bill of the Association, because the Lord Chancellor did not believe, as neither did he, that the nobility and landed gentry of the country would ever consent to be placed on the same footing as traders. In one respect the Chancellor's bill was superior, inasmuch as it provided for the winding up of insolvent joint-stock companies.

Mr. Hastings in reply expressed his satisfaction that the first resolution had been seconded by Mr. Edward Heath, to whose clear head, mature judgment, wide information, and large commercial experience, the committee were in a great degree indebted for the excellence of the bill. He must observe that he had that day received

from a mercantile gentleman present, the President of the Worcester Chamber of Commerce, an accurate copy of the account filed in the Birmingham Court of the working of a small estate, one rather under 500*l.*, in bankruptcy, from which it appears that the expenses in that case amounted to 62 per cent., a fact which bore out the opinion he had stated, as to the oppressive way in which the present system told upon small estates. He wished it to be distinctly understood, that they had no intention of returning to that part of the old system which enabled the assignee to retain money in his possession. No doubt their bill gave great power to the creditors, but it also provided most carefully, as the Scotch system did, for periodical reports to the inspectors and for regular dividends. It was impossible to amalgamate their bill with that of the Lord Chancellor, because the two proceeded on radically different principles; that of the Government was framed with a view to maintain the Court of Bankruptcy in its present condition, while giving creditors a means of relief outside the court; that of the Association aimed at the thorough reform of the court, so as to make creditors feel that it was the place where their business would be most cheaply and expeditiously conducted.

All the delegates who spoke in the discussion stated that the support which they gave to the bill prepared by the Association was given on behalf of the bodies represented by them, who at the proper time would endeavour by every legitimate means to obtain its enactment into law.

The unanimity of the mercantile delegates at Liverpool on the subject of bankruptcy is a striking example of the influence which the National Association may exert. When Lord John Russell presided at Birmingham over this department, he had to remark, in summing up the discussion on bankruptcy, on the diversity of opinion expressed by the mercantile representatives there, and it was in order to harmonise their conflicting views that his lordship proposed the appointment of a special committee. It is most gratifying to observe the results that have followed from this suggestion; all the bodies represented at Birmingham have given in their adhesion to the bill prepared by the special committee, and this unanimity has been attained, not by the sacrifice of principle on any side, but by the distinct enunciation of opinion on the leading points of bankrupt law amendment, concerning which the mercantile community were from the first almost necessarily agreed, though the prominence given to various details prevented that agreement from becoming evident, until views from all quarters had been collected and discussed by the committee. It may be confidently anticipated that no bill will pass through Parliament which does not recognise, and in some shape embody, the leading principles laid down in the bill of the Association; those principles have been practically tested in Scotland,—and indeed, in England too, through the long experience of our merchants in voluntary settlements,—and the strength of the measure lies in this, that it seeks to give the sanction of law only to that which the trading classes themselves have long tried and approved.

It should be added that at the closing meeting on Saturday, October 16th, the Association adopted the recommendation made by the department, and appointed a 'General Committee on Mercantile Legislation,' to consist of not more than seven members nominated by the Council, and of two delegates chosen by any Chamber of Commerce, Trade Protection Society, or other similar body, being a corporate member of the Association.*

The discussion on bankruptcy having terminated early in the afternoon, two miscellaneous papers were read—one by Mr. Edgar, 'On Professional Remuneration;' the other by Dr. Burke Ryan, 'On the Law of Infanticide.' The former, which is printed at length at page 127, argued that the remuneration of lawyers should not, as at present, be arbitrarily fixed, but be left to the natural laws regulating the relations between employers and employed. At the conclusion of the paper, Mr. J. T. Danson remarked that, as chairman of the Mercantile Law Committee of the Liverpool Chamber of Commerce, he had consulted with a number of merchants upon this subject, and the general impression was, that the plan of a fixed charge must be abandoned, but considerable difference of opinion existed as to the precise way in which a change should be made, and it was not, he believed, generally thought that the free trade in law, advocated by Mr. Edgar, would be a benefit to the mercantile community.

Dr. Ryan's paper referred to the uncertainty of conviction for the crime of infanticide, owing partly to the severity of the punishment inducing juries to find a verdict of concealment of birth only, which was visited with the inadequate penalty of a few months' imprisonment; and partly to the rule of law, which requires proof to be given that the child had been wholly born alive, before the violence towards it had been committed, a fact which in most cases it was impossible to substantiate. The remedies which he suggested were that a wide discretion should be left to the judge in determining the nature and amount of the punishment, and that it should no longer be necessary to prove the separate existence of the child prior to the act which deprived it of life. He also suggested that in order to

* At a meeting of Council on the 11th of November last, the following five gentlemen were appointed members of this Committee: Mr. Edgar, Mr. Gassiot, Mr. Hastings, Mr. Smale, and Mr. Robert Slater. The bodies nominating delegates are at this time (Nov. 25) as follows: the Chambers of Commerce of Belfast, Birmingham, Bradford, Bristol, Edinburgh, Huddersfield, Leeds, Leith, Liverpool, Manchester, Wolverhampton, and Worcester; the Trade Protection Societies of Bristol and Clifton, Leicestershire, Liverpool, and the West Riding of Yorkshire. The Committee met on Wednesday, the 17th of November, and after electing Mr. Hastings chairman, and Mr. Arthur Ryland secretary, proceeded to confer with Mr. Samuel Morley, Chairman of a Committee of London Merchants, with a view to a joint effort of the City of London and the Chambers of Commerce for the amendment of the bankrupt law. The Committee also resolved on sending a deputation to the Premier on the same subject, and appointed three sub-committees; one to co-operate with the London Committee above-mentioned; one to prepare a measure on Registration of Partnerships; and one to conduct generally the business of the Committee.

enable the mother of an illegitimate child to earn her living without hindrance, the putative father should be compelled to pay a sum according to his circumstances, not exceeding seven shillings and sixpence a-week, to enable the woman to put her child out to nurse.

Mr. E. T. Wakefield's paper 'On the Law of Savings Banks,' which concluded the business on Wednesday, will be noticed in the Social Economy Department, in connexion with other papers on kindred subjects.

On the morning of Thursday, October the 14th, Mr. Charles Bousfield read the paper 'On Registration of Partnerships,' which is printed at page 144. On this a long discussion ensued, the representatives of the great majority of the commercial bodies expressing a strong opinion in favour of a registration; Mr. Potter, of the Manchester Chamber of Commerce, and Mr. Macfie, of Liverpool, being the dissentient speakers. A resolution was finally carried by a very large majority,—

'That in the opinion of this department a system of registration of all private partnerships is imperatively called for, and that the consideration of the subject in detail be referred to the General Committee on Mercantile Legislation.'

It is confessed even among those best convinced of the expediency of registration, that the practical difficulties in preparing a legislative measure to effect it are great; too great certainly to be successfully encountered by any not thoroughly versed in the subject. A measure which, on the one hand is to ensure efficiency of registration, and to avoid any hindrance to trade or the investment of capital on the other, will require for its preparation much commercial experience, and no small legal ability. Impressed with this conviction, the Mercantile Legislation Committee appointed at their first meeting, on the 17th of November, a sub-committee, who are believed to be peculiarly fitted to consider this important subject in all its bearings, and to report on the best framework for a general measure.

The papers on Local Justice and subjects relating thereto, printed at length from page 151 to page 185, were then read. In the general discussion that ensued considerable difference of opinion was expressed on Mr. Darlington's proposal for the 'Incorporation of Chambers of Commerce,' and a resolution in its favour obtained only a majority of one.

A unanimous feeling prevailed among the mercantile delegates, of the necessity for extending to all our commercial towns the benefit of the legal remedy known as "foreign attachment" in London and Bristol, and in Scotland by the name of "arrestment," and among the lawyers who supported this view Mr. Squarey mentioned a remarkable instance of the necessity for such an enactment. Some merchants in New York forwarded a bill for 2000*l.* on merchants in Liverpool, accompanied by a note stating that it was covered by the freight of a ship from Bombay to London. The bill was accepted, and became due in a few days. The ship arrived; the freight was only 1300*l.*;

900*l.* of it was anticipated by the captain, in Bombay, and the remainder was subject to claims by the seamen for wages, which absorbed every farthing. His clients had to pay the bill for 2000*l.*; the freight, which was their security, was gone; and although the American merchants had two ships in the Liverpool docks, yet the Liverpool merchants could not attach either of them in satisfaction of the bill. The following resolution was unanimously agreed to,—

'That it is desirable that a law be enacted embodying the principle of the Scottish law of "arrestment," and made applicable to the whole of the United Kingdom, and that as touching the best method of carrying out the resolution, the subject be referred to the General Committee on Mercantile Legislation.'

The need felt in our large towns for a more local administration of justice, so forcibly expressed at the Mercantile Law Conference, 1857, was dwelt on at considerable length, and it is remarkable that all the papers on this head, though prepared without any communication between the authors, converge to one point, the necessity for local courts, armed with plenary jurisdiction, both in law and in equity. The want expressed by Mr. Heath for the means of settling rapidly, and without technical procedure, purely commercial disputes; the advantages of a ready access to equitable remedies, and the many wrongs to which such remedies are alone applicable, described by Mr. Smale; the need, particularly in seaport towns, for a facile and speedy process against foreign debtors, dwelt upon by Mr. Danson; and the centuries of experience which, as shown by Mr. Milne, every Scotch county can produce of the great benefit afforded to the people by an efficient local court, all point to the final consummation of that momentous change in the judicial system of England, which, begun by the County Court legislation of 1845 and 1850, and now approved by the mind of the nation, will assuredly be carried on, more or less quickly as popular impulse may serve, until it has given to every principal town in the kingdom, for the redress of every wrong, a cheap and accessible tribunal. It was the aim of Mr. Hastings to show how such a tribunal could be established, without adding one shilling to the judicial expenses of the state, and conserving the functions of existing local courts, by amalgamating the offices of Recorder, County Court Judge, and Commissioner in Bankruptcy, or any two of them, and of the Registrars and staff of their Courts. This proposal was very favourably received by the department, and Lord John Russell suggested from the chair that it should be embodied in a formal resolution, a course which Mr. Hastings declined, solely from unwillingness to suddenly pledge the department on an important question.*

* Mr. Hastings, after the conclusion of his own paper, read the paper of Mr. Bickerton Evans on 'A Practical Defect in County Court Jurisdiction.' The paper stated very briefly the inconvenience and occasional failure of justice which arise from compelling a plaintiff to sue the defendant in the County Court of the defendant's locality, a rule which almost prohibited wholesale dealers from suing their distant debtors in the County Court. An enactment was recommended, enabling a plaint in all cases to be entered in the County Court of the district in which the contract was made.

It should be added that Mr. Maclaren and Mr. Mitchell, the representatives of the Edinburgh Chamber of Commerce, dissented from that portion of Mr. Milne's paper which approved of the written pleadings in Scotch Sheriff Courts in cases above the value of 12*l.*, and stated the general wish of Scotch merchants for a more summary procedure.

The subject of Statute Law Consolidation, and, incidentally, of a Minister of Justice, occupied the department during the forenoon of Friday the 15th, and was opened by Mr. Arthur Symonds, whose paper will be found at page 113. Another paper on the subject had been contributed by Mr. Serjeant Woolrych, which, in his absence, was not read, urging the necessity for a thorough revision of the statutes, and suggesting some practical steps to be taken in the work, such as the separate classification of the acts relating respectively to England, Ireland, and Scotland, the collection into one chapter of the different 'interpretation clauses,' and the formation of a good index. Mr. E. T. Sargeant, in his paper 'On the Reformation of the Statutes,' recommended the establishment of a legal council of three, representing the three branches of Chancery, Common Law, and Conveyancing, with adequate means and authority for employing men of ability and experience to consolidate the statutes, to prepare measures of law reform, to examine and revise every bill before the Royal assent be given, and to advise Government as to the state and effect of the existing law. The appointment, as proposed, of a Minister of Justice would, Mr. Sargeant thought, be open to objection, as the political functions of such an officer might interfere with the discharge of his administrative duties. Mr. Edward Webster, in his observations on 'The Law of the High Court of Chancery, affecting Gifts *Inter Vivos*,' advocated the same consolidation and revision for the unwritten law contained in the decisions of the judges as was about to be applied to the statute law. The necessity for such a proceeding was illustrated by an elaborate reference to the conflicting cases in the above-mentioned branch of law, and enforced by a description of the litigation engendered by its confusion and uncertainty. It was denied that the principles of the English law were unfavourable to codification, and instances were adduced of the application of such a process to certain portions of our law—as by Littleton, in his work on Tenures, and the Canons of Descent set forth in Blackstone's 'Commentaries;' and it was contended that in a similar way the principles of common law and the decisions in equity might, in the form of maxims, be reduced to a code. During the discussion,—

Lord John Russell said, with regard to the subject under consideration there were two processes to be gone through; the one was to consolidate the statute law, the other to carry the consolidating bills through Parliament. As to the first, he thought it had been an error to form a commission of a large number of persons, most of whom had many other imperative duties to perform, and found it impossible to attend regularly. The consequence was, that if six members of the commission met and decided on anything in one

week, another six might meet in the next, and undo the work of their colleagues. It would be now quite vain to expect that any useful result could follow the labours of such a body. He had had a letter from his friend Lord Stanley, and another from the Lord Chancellor of Ireland, in which they stated that they despaired of any good arising from the commission. The body entrusted with such a work should be limited to a small number of qualified persons, well paid for their labours, and devoting themselves solely to a revision of the statute-book, by which he meant its amendment as well as its consolidation. The plan on which the commission had hitherto proceeded was, to merely collect together into one bill the various provisions of the law relating to any class of subjects, without improving their language or removing their incongruities. The gentleman who had prepared one of the bills for consolidating the criminal law found that there were no less than fourteen different penalties enumerated for the same class of offences, and he asked the commissioners how he should deal with the subject. 'Keep in the whole of the penalties' was the reply, and all the fourteen were accordingly to be found in the bill they had prepared. Now, a small commission, responsible for the work, would never put forth such absurdities as these; but like the New York commissioners, they would revise as they proceeded in their labours. Then came the question on which he had had some experience, namely, the way of carrying the bills when prepared through Parliament. He confessed the difficulty was very great; and he would remark in passing that it would probably become necessary at no distant day to consider as a whole the mode of transacting both the public and the private business of the House of Commons. He had heard it said that it would be very easy to accomplish the amendment of the Stamp Acts. Now, he was a member of a Government when a volume at least a foot in height was brought to them, as a bill for the consolidation of the Stamp Duties. His colleagues considered how they were to carry such a bill through Parliament, and they found that they would not be warranted in attempting the consumption of a large portion of the time of the members, when, perhaps, two hundred different questions might have arisen on the bill, and they threw it over rather than waste the public time. On this matter he thought they should not be above learning a lesson from their friends on the other side of the Atlantic; the business of the legislature of New York was by no means so large as that of the British Parliament, yet they had held special sessions for the purpose of considering and passing their edition of revised statutes, and for that work alone. He believed that they must adopt some such plan in this country, as it was hopeless to expect the House during the ordinary session to give up time to the work of consolidation. If a personal question came on like that relating to the defalcation at the 'Weedon stores,' the House would be crowded with members; but if it were known that a discussion on the statutes was to take place, there would probably be a count out. He was therefore in favour of a special session, or, if necessary,

several such, which should be held during the autumn, for the sole purpose of passing consolidated bills; and he had no doubt that the patriotism of the House would make this sacrifice for the public good.

Mr. Hadfield, M.P., rejoiced that the attention of Lord John Russell had been called to the subject, as the House of Commons could never deal with the subject effectively, unless under the guidance of some leading statesman. The Statute Law Commission had failed; and he for one would never consent to any further vote of money for that body. The House should take the matter into its own hands.

Mr. Hastings said that the immediate subject under consideration was divisible into two heads—the revision of current legislation, and the consolidation of former statutes. With regard to the first, the work would probably be best done by a minister of justice, or, pending the appointment of such an officer, by a joint committee of both Houses of Parliament. The need for some such revision was most urgent, and of this he could give an instance, from his own knowledge. In the year 1853 the Customs Duties Consolidation Act was passed, enacting that the only Customs Duties to be levied in the kingdom were those enumerated in the schedule to the Act. After the commencement of the Russian war, it became necessary to increase some of these duties, and a bill was introduced into the Commons repealing the former consolidating Act, re-enacting its substantive provisions, and referring to a schedule which was annexed of all taxable articles. During the passage of the bill through the House, it was, for some reason, determined to alter its character, and to restrict the schedule to an enumeration of the few articles on which the duty was raised. The parties who had charge of the measure forgot that a corresponding change in the first clause of the bill was necessary, and the Act positively passed with a clause repealing all previous duties except the few named in its schedule.* Most happily the mistake was not discovered by the public during the recess, and having been pointed out to the Chancellor of the Exchequer, was quietly remedied during the next session; but unquestionably many millions of the national revenue had in the meantime been placed in jeopardy. A somewhat similar mistake occurred when Sir Robert Peel made his first alteration in the tariff; on that occasion an oversight of the draftsman left six days of the year during which no duty on corn was leviable by law. A merchant, finding out the mistake, claimed to pass a cargo of corn customs free; and having been compelled to pay the duty, recovered the amount from the Government by judgment of the Exchequer Chamber.† Such instances showed that the present lax way of conducting legislation was attended with danger as well as inconvenience; and there was no more important subject for the consideration

* The act referred to is 17 & 18 Vict. cap. 122. See also 18 & 19 Vict. cap. 97, sec. 8.

† Barrow *v.* Arnaud, 8 Q. B. Rep. 595.

of Parliament. With respect to the second head, the work would probably never be done unless by a small commission constituted like that employed by the State of New York, and working on the same plan. That plan was, first, to expurgate, by throwing out of the statute-book all repealed, obsolete, and superfluous matter; secondly, to group and classify; and, thirdly, to carefully revise and consolidate. But it was a mistake to suppose, as some seemed to do, that this is what was meant by codification, which was a far wider work. The State of New York had not yet a code, though it was in a fair way to obtain one; its edition of revised statutes, such as he trusted this country would have at no distant day, was only one step towards codification; another step would be the enactment of a uniform procedure for all courts; and a third, the purgation, revision, and collection into a concise form, of all judicial decisions. When these three steps had been taken, the materials for a code would be ready to their hands, and they might then hope to frame a philosophical body of law, as a permanent expression of the legislative will of the country.

Mr. William Tayler said that there had been Statute Law Commissions appointed on three several occasions, without any beneficial result, though they had cost the country 50,000*l*. The statute-book was still in a lamentably perplexing condition, and the number of conflicting Acts led to contradictory decisions and uncertain law. The consolidation of the Acts relating to the Customs had shown what could be done in that direction; and he would move a resolution to express what was evidently the general feeling of the department. This resolution, which was unanimously carried, was as follows:—

'That it is the opinion of this department that a complete revision of the statutes is absolutely necessary, and that it should be the first duty of the Legislature to consolidate the laws of the country into an intelligible and comprehensive form; and that it is the further opinion of the department that this would be best effected by the appointment of a permanent commission, with an efficient staff of officers.'

After Mr. Herbert Broom had read his paper on 'Legal Education,' which appears at page 122, Mr. Arthur Symonds expressed an opinion that a more systematic plan of legal education should be pursued, so that a knowledge of the laws of different countries might be obtained, and the common principles of jurisprudence be educed from them; while Mr. Parkhurst advocated a plan which would unite the education of both branches of the profession.

Mr. Hastings said, that in his opinion the great object of a compulsory examination was not to obtain good practising lawyers, who would always be found under any system, but to prevent, as far as possible, improper appointments. A great number of offices had been created by the Legislature, open to barristers only, and it was notorious that many of these posts were filled by men who had merely eaten their way to the bar, and had no pretension to the name of lawyer.

But it was worse still with respect to colonial appointments. If England had a right to employ incompetent men at home, she had no right to thrust them on the communities which she governed, and it would only be an act of justice to forbid the appointment of any barrister to an office in the colonies unless he had passed a proper examination. There was also great need in our Indian empire of properly trained judges; he did not mean of men versed in the technicalities of English procedure, but acquainted at least with the rules of evidence, and with the broad principles of jurisprudence common to all civilized countries. This want, and it was urgent and excessive, could only be supplied by extending and re-invigorating the legal education given in our Inns of Court, a plan which had been strongly recommended by a select committee of the House of Commons, and by a Royal Commission, and which would confer incalculable benefits on the public as well as the profession.

Mr. W. Strickland Cookson remarked from the chair, that any effective reform of the Inns of Court must include the establishment of a law university, open to both branches of the profession, and giving instruction in every portion of jurisprudence.

On the subject of the Transfer of Land, Mr. John Locke read the paper printed at page 131, and Mr. E. T. Wakefield, in another contribution on the same subject, pointed out that it had long been considered that the grand object to be aimed at, in reforming the laws of real property, was increased security of title; but a clearer insight into the nature of the defects of those laws had been obtained, and it was now generally admitted that, not the insecurity of the title, but the expense and delay attending the transfer, was the great evil, a remedy for which was urgently demanded by the exigencies of modern society. Now, the practical question was how to cheapen, simplify, and expedite the transfer of land, without introducing evils which would neutralise any good effected by these means. The first thing to be considered in answering this question was the distinct purposes for which investments in land were made. There were two grand divisions into which such investments might be classified—viz., where the investment was made for social purposes, that is, to provide for the maintenance of families or individuals; and where the investment was made for commercial purposes, that is, where the object of the purchaser was to sell the land at a profit, or for the purpose of mortgage or other commercial security. In the one case the object being not to re-sell the land, the expense incident to its purchase, in the first place, was not so great a hindrance to its sale, if the cause of this expense otherwise promoted the security and permanency of the investment. But in investments for commercial purposes, cheapness, expedition, and simplicity of transfer were paramount to almost all other considerations. He argued that, therefore, no amendment of the law would meet the exigencies of the case, the adoption of which would be made compulsory upon all landowners. The cause of the expense and delay now incident to the transfer of land was the repeated investigations of the same title. This he proposed to remedy by the establishment of

courts for the purpose of investigating titles, and granting decrees which would confer indefeasible titles, precluding the necessity for all further inquiry, and into which landowners who chose might bring their titles, and those who chose might stay away.

Lord Brougham observed, that a change in the system of conveyancing was absolutely necessary, and recommended the adoption of the Cumberland system in respect of copyhold property.

Mr. Jevons suggested that as land produced thirty years' purchase, the charges of transfer could not be so heavily felt as was often alleged. After some further discussion, a resolution was passed embodying the opinion of the department that the delay and expense incident to the transfer of land require a legislative remedy. It may be observed that the Irish Court described by Mr. Locke, and the Court proposed by Mr. Wakefield for this country (the establishment of which has been for many years advocated, and during the past session by Lord Cranworth, in the bill introduced by him into the House of Lords), are no doubt calculated to effect the great good of clearing the title to a landed estate, and of giving to that estate an increased marketable value; but in order to perpetuate the good thus effected, it will be desirable to establish some machinery for *keeping clear* the titles that have been dealt with; and it was the deliberate opinion of the late Real Property Commissioners, as it is of many deeply versed in the subject, that this object can be best attained by a system of registration of titles, analogous to the plan long pursued with reference to stock, modified to suit the requirements of landed property.*

Mr. Macfie's paper on the 'Law of Patents for Inventions,' which appears at page 147, was followed after some debate by this resolution, 'that the department considers the suggestions offered by Mr. Macfie as especially worthy of the attention of the Association, and that the subject be referred to the general committee on mercantile legislation.'

Mr. Merry, in his short paper on 'The Payment of Common and Petty Juries,' referred to the hardship inflicted on the class of men from whom the juries at assizes and quarter-sessions are usually taken, in detaining them from their homes and employments, and putting them to considerable expense without any pecuniary compensation.

A paper on the 'Office of Coroner,' by Mr. Dempsy, alluded to the unfortunate course adopted by the magistrates in several counties, of so curtailing the fees of coroners as to seriously hinder investigation into the causes of death. He also dwelt on the popular nature of this ancient office, and the safeguard it might afford against oppression, and showed how its usefulness might be increased in matters of public health, and in the prevention of accidental poisoning by the adulteration of food.

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* Mr. Locke is of the same opinion, see p. 133 of his paper.

EDUCATION.

PAPERS ON MIDDLE-CLASS EDUCATION.

On the best Mode of practically Working the Plan of Competition for Civil Appointments. By HORACE MANN.

PROBABLY there is scarcely any recent question with respect to which a more rapid advance of public sentiment can be recorded, than that of competition for appointments in the Civil Service. Suggested for the first time by Sir Charles Trevelyan in November, 1853, and at that time publicly advocated almost alone by Mr. Gladstone and Lord Stanley, the lapse of less than five years has sufficed to gain for it the sanction, more or less hearty, of every considerable statesman in the House of Commons, together with the active support of a large majority of that assembly.

Indeed, the views in this direction of these eminent persons, and of the popular branch of the Legislature, have been, during the last two years, so strongly expressed, that the public doubtless believes that competition is now actually the prevailing mode of selection in all the public offices. It will therefore, perhaps, be at least an unexpected statement, that competition, as understood by the House of Commons and the country, has not yet been introduced into *any* Government department, and that, even in its most restricted sense, it is permitted only in *some* of these departments, and for only an insignificant proportion of the situations which become vacant.

The most recent facts upon this point are to be found in the *Third Report of the Civil Service Commissioners*, showing that in the year 1857, out of nearly 500 permanent clerkships which became vacant, only 82 were disposed of by means of competition; and that certificates without any competition whatever were granted to 74 temporary clerks, to 175 expectants of excise, to 243 tidewaiters and weighers in the Customs, and to 357 letter-carriers, &c., in the General Post-office. It is also to be noticed that the heads of several of the departments for which competitions have been held seem rather to play with the principle than really act upon it—directing a competition for one vacancy, and dispensing with it for the next. Thus, in the year 1857 the Customs obtained 24 clerks by competition, and 168 without; the Education Office, 13 by competition, and 3 without;

the India Board, 1 by competition, and 1 without; the Treasury (supplementary clerks), 2 by competition, and 2 without; the War Office, 2 by competition, and 24 without; and so on.

But it is necessary, in order to assign a value to these facts, to understand what is meant by competition: for the public, when they hear that the plan of competition is accepted and in force, are evidently not aware of the ambiguity of the expression, and that what is actually in operation is something very different from what they suppose.

There are, then, two kinds of competition: the one (that generally understood by the term) where every well-conducted person in the country of the requisite age and health can, if he wishes, become a candidate: the other, where the contest is restricted to such persons as are nominated for the purpose by the members of the Government. As a convenient means of distinguishing them, the former may be called 'open competition,' and the latter 'close competition.' The primary object of the former is to get for the public service the best attainable officers; but it has also two incidental objects, which, though quite consistent with the first, are of even greater importance—viz. (1), the encouragement of education, and (2) the elevation, by the abolition of patronage, of the moral tone both of the people and of their representatives. The ostensible object of the latter kind of competition is to select the best of all the Government nominees; but Lord Grey has hinted that it may readily be made merely the means of securing in another form the appointment of favourite candidates; just as, if the owners of a race-horse were to have the selection of the horses which were to run against them, the issue of the race could not be uncertain. Of course neither of the important incidental objects above mentioned is contemplated in the scheme of 'close competition.'

It is exclusively this system of 'close competition' which has hitherto been adopted for the civil service of this country. We have an example of 'open competition' in the examinations for the East Indian Civil Service, conducted by the Civil Service Commissioners; but nothing of this kind has yet been adopted for the home service of the Crown. The plan is, on the occurrence of a vacancy, to nominate three persons (the number scarcely ever exceeds three) to compete with each other, and the best of the three, if competent, is appointed to fill the vacancy. The working of this plan, in the year 1857, was as follows:—There were 68 competitions; in 3 of which 1 candidate appeared; in 10, 2 candidates; and in 39, 3 candidates. Ninety situations were given away amongst 252 competitors, of whom, however, 112 were incapable of passing the mere *test* examination. Consequently, the 90 clerkships were contended for, at different times, by 140 not-incompetent candidates. It may, from this, be easily calculated what were the chances that the first men in such competitions would be much above the minimum standard required when there is no competition.

In discussing, therefore, the general question of competitive exami-

nations, I cannot think it worth while to take any account of the plan of 'close competition,' since it is nothing like the plan universally associated with the idea of competition, which is always understood to mean open competition, without political patronage. What is the best way of working this genuine scheme, is indeed a question of some interest, and to that I propose to confine my observations.

It is, happily, not necessary to say much now in defence of the general principles of competition; the common sense of the country has not failed to recognise the superiority of appointment by merit to appointment by favour. Of course, this general concurrence is a 'mania' in the opinion of those to whom the change itself is distasteful; and the defenders of patronage express great disgust at the constant repetition of the truism that knowledge is better than ignorance. The reiteration of this truth will cease to be necessary when these defenders cease to maintain that ignorance is better than knowledge. The not unreasonable argument for competition is that, in the absence of any other criterion, superiority of education affords a fair presumption of superior fitness for official labours. It is futile to say that the test is not infallible; the question is whether it is the best. It is no refutation of the principle to point out many men of practical ability who would fail in a competition; the answer is, that competition would furnish at least as many able men as we have at present, and fewer incapable. It may be admitted that Clive was both an uncommon genius and a remarkably idle boy, and also (for the sake of argument) that he would not have succeeded in a competition; it must still be a question whether competition would not have produced as fit a man for the crisis, and it cannot be at all a question whether we should fill the Indian Service with idle boys for the chance of catching a Clive. It would indeed be hard if, under any system whatever, one man in a hundred did not turn out well; but the system of patronage can scarcely claim much credit for results which would probably follow in greater abundance if the selection were made by lot. The existing plan is not so good as a lottery, because there is often a natural bias in favour of incapacity; the plan of competition is better than a lottery, because there must always be a bias in favour of ability. Unless, therefore, it can be shown that knowledge, of the kind produced by competition, is a positive disqualification, the plan proposed must be a vast improvement; since, even if it were only regarded as a lottery, it would give us better clerks than any other system, and would, at the same time, secure this end without any of the demoralizing effects of patronage. As to the two objections founded, the one on the absence of precedent in ancient times, and the other on the supposed analogy of commercial management in the present day, it is sufficient to say that we have done too many things which were unknown to the Greeks and Romans to be now intimidated by the want of their sanction; and that the analogy of mercantile firms will be admissible only when it can be proved that people are generally as careful of other people's money as they are of their own; and that any patron has ever suffered in his own pocket, as a merchant always must, as the

consequence of a bad appointment. There is, indeed, one remaining objection which it is somewhat difficult to answer. Excessively clever writers have recently exhibited a morbid sympathy for dullness; they are sentimentally concerned for 'the future of stupidity,' and plaintively ask, 'What is to become of all the stupid people if these examinations are to continue?' I am afraid the only reply is, that the stupid people must take care of themselves. There are plenty of positions open to them for which there is no formal examination; they can enter private employments, if employers choose to receive them; there is no obstacle to their admission to the Bar; and it now seems that they can write for the press; but the possibility of their rejection in these departments of labour affords no reason why the public service should be made a refuge for the destitute minds of the country. But it cannot be needful, at present, to defend any further the principle of competition. Let us see how it can be brought into practice.

The number of persons composing the permanent effective civil service of the country (exclusive of officers appointed and paid by the local jurisdictions) is about 80,000. These form the civil service proper; being all appointed, directly or indirectly, by the central executive authority.

These may be divided, for our present purpose, into the following six main classes:—

I. Political and other superior staff-officers, not having, necessarily, any previous connexion with the civil service.

II. The general body of clerks, or persons occupying equivalent positions; and also the superior officers who rise from the rank of clerks.

III. Salaried officers below the rank of clerks, and who do not rise to that rank.

IV. Artisans, labourers, and other mechanical assistants.

V. Police.

VI. Persons not *exclusively* connected with the civil service; as postmasters, &c.

As no one, whatever may be alleged, proposes that either the secretaries of state or the artificers in our dockyards should be selected by means of a literary competition, the first and fourth of these classes, consisting of about 15,000 persons, need not be further noticed. We may also omit the police, and the class of persons who do not make the civil service their exclusive occupation. The deduction of these numbers will leave about 34,000 civil servants, as to whom, with sundry exceptions, may be fairly asked the question, whether they should not obtain their first entrance into the service through the door of competition?

It will be easiest to deal with the third class first. It consists, principally, of the following sub-divisions:—

Tidewaiters, weighers, lockers, &c. in the Customs	3067
Letter carriers, sorters, mail guards, &c. in the Post Office	4673
Messengers and porters in all the Government Offices	975
Temporary and occasional assistants, supernumeraries, &c.	Unknown.
	8715

Neglecting altogether the last of these sub-divisions, the number of vacancies occurring annually in these several classes is, on the average, in the Customs 180; in the Post Office 350; and in the general body of messengers, &c. 50, being in all 580; which, of course, would be the average number of situations to be competed for in each year, if the whole class were thrown open to competition.

Assuming this to be the case, the first thing to be considered, in discussing the practical method of applying the plan of competition, is the distribution of these situations over the various parts of the United Kingdom. The following statement will be near enough for our purpose:—

	Tidewaiters, Weighers, &c.	Letter Carriers, &c.	Messengers, &c.	TOTAL.
In London	1058	2188	728	3974
,, other English towns*	1180	821	19	2020
,, the rest of England	319	907	55	1281
ENGLAND	2557	3916	802	7275
In Edinburgh (and Leith)	63	147	25	235
,, other large Scottish towns†	139	140	...	279
,, the rest of Scotland	91	110	1	202
SCOTLAND	293	397	26	716
In Dublin	58	181	95	334
,, other large Irish towns	...	...	...	...
,, the rest of Ireland	159	179	52	390
IRELAND	217	360	147	724
TOTAL	3067	4673	975	8715

These figures show the total effective force; and it may be assumed that the average number of vacancies annually is about seven or eight per cent. of the whole force.

The main question then is, Shall these vacancies be provided for beforehand by large aggregate competitions? Or shall they be filled up as they occur by a competition for each vacancy, or for such vacancies as happen to occur at the same time? Or, will a combination of these two plans be the best?

My own view is in favour of the last course; and I think it will be found that aggregate anticipatory competitions are most suitable for situations in the large towns, and that individual subsequent competitions are most suitable for the situations in small towns and rural districts.

Thus, taking London for illustration, there could not be the least

* Liverpool, Manchester, Birmingham, Leeds.
† Glasgow, Greenock (Customs).

difficulty in providing beforehand 290 occupants for the 290 situations which would become vacant in the course of a year. The plan would simply be, to have quarterly competitions for the probable number of vacancies to occur in the ensuing quarter. For instance, in the latter end of March there would be a competition for eighteen situations of tidewaiters or weighers in the Customs, for forty-five situations of letter carriers in the Post Office, and for ten situations of messenger in some one or other of the London departments. As the vacancies occurred, the selected candidates would be appointed to them in the order of their merit. It would not however be necessary to keep any of them wholly unemployed until the occurrence of a vacancy in the regular establishment; since, as we have seen, these large departments have always a fluctuating body of supernumeraries, to which the selected candidates could for the intermediate time be attached.

The course adopted for the metropolis could also be adopted for the principal large towns, such as Edinburgh, Dublin, Glasgow, Liverpool, Manchester, Birmingham, and some others. There would be quarterly competitions in each town (or in each central town of a group) for the average number of vacancies in a quarter. If the actual number of vacancies were to be greater than the average, the deficiency of selected candidates would be supplied by supernumeraries until the next competition: if less than the average, the surplus of selected candidates would be available for the first vacancies in the next quarter, and would go to diminish the number of prizes to be competed for in that quarter.

The reason for proposing a different plan with respect to the situations in small towns and ports is twofold—(1) To obviate the difficulty of disposing of the successful candidates during the intermediate time after their examination and before the occurrence of a vacancy; and (2) to insure, as far as possible, that these situations should be filled by residents in the various localities. If, for example, it were arranged, by an aggregate competition at Edinburgh or elsewhere, to furnish a supply of letter-carriers and tidewaiters for all the smaller towns and ports in Scotland sufficient for the probable requirements of the ensuing quarter, some of the successful candidates would have to wait for two months or upwards before obtaining employment—an inconvenience which, in addition to the cost of a journey to the place of examination, would be seriously felt by persons in the social position of these competitors, and might deter many eligible candidates from coming forward. Another disadvantage would be this, that although an average number of vacancies during the quarter might be safely calculated upon, it would not be possible to foresee the precise localities in which the vacancies would occur; so that the successful candidates might be called upon to remove from one part of the country to another and a distant part. In all such cases, too, there would be a loss of the local knowledge, both of places and persons, which residents would possess, and which might be of considerable value in the case of these outdoor officers.

The risk of these various disadvantages would be, if not altogether removed, at all events rendered unimportant by the plan of postponing the competition, in rural districts, till after the actual occurrence of each vacancy. It might then take place almost immediately, and upon the spot, or at the nearest eligible town; being carried on under the supervision of an officer of the Customs or Post Office, by means of printed papers transmitted from the office of the Civil Service Commissioners, and returned to them at the conclusion of the examination. It would not be necessary, by actual rule, to confine the competition to residents in the neighbourhood; that end would be practically and sufficiently attained by the simple fact of the examination being held at or near the place where the vacancy may be—the cost and trouble of conveyance being quite an adequate protection against excessive importations of strangers.

The actual course of things, according to this plan, would be as follows:—A vacancy occurs in the office of tidewaiter at the port of A.; it is announced to the Civil Service Commissioners; a time is then fixed by which candidates must obtain, fill up, and transmit the necessary forms, and also evidence of age, health, and character; at the expiration of this time (say a fortnight after the announcement of the vacancy) the candidates approved are all examined by means of papers sent from the Civil Service Commission to the local officer of the Customs, who distributes them to the candidates, secures fair play, and collects and returns the work to the Civil Service Commissioners.

A similar method would be adopted with respect to letter-carriers in the smaller towns. The Post Office would announce the vacancy—competitors' names would be received—the Civil Service Commissioners would supply examination papers to the local postmaster, and he would superintend the examination and return the work.

The amount of trouble imposed upon the officers of the Customs and Post Office by this arrangement would be scarcely more than is at present undertaken by them, and really insignificant in itself, when distributed among so many. The annual number of these competitions in the Customs would be about thirty-five, occurring in about seventeen different ports. In the Post Office, the annual average would be about one hundred and twenty, in sixty different towns.

Of course, with regard to the anticipatory competitions in large towns, one and the same competition would suffice to dispose of the situations in both the Customs and the Post Office. And in this case, if the subjects of examination were to be, as they might advantageously be, identical, a candidate need not confine himself to one class of situations, but might compete at the same time for either a tidewaitership, weighership, or letter-carriership, whichever might first become vacant.

Supposing, then, these points to be settled as suggested, the next question is—What should entitle a person to become a competitor? Is the competition to be open to all who choose to send in their names? or to such only as can produce a nomination from some

responsible party? For my own part, I see no risk worth noticing in a perfectly *open* competition, as the character of all the successful candidates would, of course, be subjected to searching scrutiny; but, on the other hand, there is probably a certain positive security in the plan of nomination, when the nominators are trustworthy and disinterested persons, which makes it desirable to combine, if possible, the advantages of this plan with those of virtually open competition. And this combination appears to be perfectly practicable, if the power of nominating be entrusted to all persons holding some public or *quasi*-public position, such as magistrates, members of Parliament, parochial clergymen and ministers of dissenting congregations, masters of endowed grammar schools, managers of national, British, and other popular day schools, evening schools, and evening classes, &c. The nomination should probably be in a prescribed form, by which the nominators should be required to certify, from their own knowledge, extending over at least a certain time mentioned, that the nominee is a fit person, so far as character is concerned, to enter the public service; stating at the same time the circumstances which warrant the expression of that belief. Of course, as the prescribed lower limit of age for Letter-carriers is seventeen, and for Tidewaiters, Weighers, and Messengers twenty-one, persons would not become candidates for these situations till some years after leaving school; but it would nevertheless be desirable to allow the heads of such schools to nominate any one who *had been*, for a certain number of years, a scholar, provided they could state that his subsequent career had been favourably known to them. With regard to the ministers of religion, it would perhaps be advisable to restrict the range of nomination to members of their particular congregations. This restriction would tend to preserve the *bona fides* of nominations, without excluding from the competitions any candidates whom it would be desirable to admit. From one source or another, all really deserving persons would be certain to obtain an entrance into the examination-room.

The course recommended for Tidewaiters, Weighers, and Letter-carriers, would also be the best to adopt for Messengers. In London and the large towns, their ranks would be recruited from the successful candidates in the aggregate quarterly examinations; in the country, a competition would be held, on the occurrence of a vacancy, by means of papers sent to the local officer.

After the successful candidates had been selected, the investigations as to the character and physical ability of each would be pursued as at present; with perhaps the additional precaution, as to health, that the medical certificate should in all cases be given by a practitioner selected by the Civil Service Commissioners, or by one of the departments interested. Of course, the heads of the departments to which any candidate might be appointed would have the means of testing his practical aptitude during a period of probation, and the power of refusing to confirm his appointment should his conduct and ability not prove satisfactory. In short, it may be safely affirmed that the

additional tests provided by the plan of general competition would be obtained without the abandonment of a single valuable guarantee of efficiency, whether physical or mental, obtained under the system of appointment which has hitherto been acted upon.

The *subjects of examination* for all the situations of the class now being considered might reasonably extend to writing from dictation, the first four rules of arithmetic, and the composition of a simple letter. This is a standard not at all disproportioned to the educational opportunities of the class of persons who would seek these appointments; and there ought to be, and probably would be, plenty of candidates capable of reaching it. Any boy of ordinary capacity would be quite able to satisfy such requirements on his departure from a National or British school; nor would he subsequently lose this ability if he saw the advantage of preserving it. On the other hand, he will certainly not preserve either this or any other part of his school instruction, if there be *no* inducement to do so; and it is one of the many evils inseparable from the system of patronage that it is necessarily adverse to the maintenance of any real test of efficiency. The standard is nearly always adapted to the known attainments, or rather deficiencies, of the clients, instead of to the average education of the people at large. This is, of course, perfectly natural, because the whole value of patronage depends upon the power of obliging the nominee; and it is therefore not surprising that, when nominees are unable to write legibly or spell correctly, the tendency should be rather to dispense with writing and spelling than to secure these useful qualifications at the price of opening the door to strangers. Illustrations of the practical operation of this tendency may be readily found in the Reports of the Civil Service Commissioners, especially with regard to one of the classes of officers now under consideration—viz., the Post-office Letter-carriers, who, having till lately been required to do as much, in the way of orthography and arithmetic, as could be done by a boy of eleven or twelve years of age, are now only required to do as much as could be done by a child of eight. It would surely be an undeserved insult to the educational exertions of the last ten years to suppose that there could be any difficulty, apart from patronage, in obtaining plenty of candidates able and willing to reach (if it were necessary) a much higher standard than the very low one which has lately been reduced. There need not, therefore, be the slightest fear of an ample supply of Tidewaiters, Weighers, Letter-carriers, and Messengers, as the result of a competition in the subjects above suggested.

As to the sufficiency of these subjects to ensure good competitions, it may be remarked that they exactly satisfy the condition which Lord Palmerston contended for, when he said, 'I am one of those who are in favour of the principle of appointments by competitive examination. I think it is a great improvement of recent times. * * * With regard to the Civil Service, I think it is an excellent system, provided always that the standard of exami-

nation is not too high.' * So that, in Lord Palmerston's opinion, not only would a limited range of subjects be compatible with competition, but would even be favourable to its success. There could also be no danger from that prominent bugbear—'cramming;' for whatever may be done in this way with regard to the higher subjects, such as history, geography, and languages, it would be ridiculous to fear that candidates would by this process acquire the ability to spell, write, cast up figures, and compose a sensible letter. These things can only result from an education more or less prolonged; and to suppose that any one can be crammed with them is about as absurd as to suppose that a boy can be crammed up from four feet six inches to five feet four inches. It is impossible to doubt that the best candidates in such a competition would be those who had made the best use both of their school instruction and of their subsequent opportunities of improvement.

Of course the opponents of competition will not fail to ask once more whether it is essential that a man should be a good scholar in order to be a good carrier of letters or weigher of goods; and whether proficiency in spelling and arithmetic necessarily implies the possession of active legs, skilful hands, and industrious habits. But this is not the real question. The real question is, which of two different modes of selection is the more likely to secure these necessary qualifications—selection by patronage, or selection by competitive examination? In this respect it may safely be said that the latter is at least as likely as the former to be successful; for I am not aware that patronage has any special facilities, or takes any special precautions, for obtaining only such nominees as are practically able, moral, and industrious. It is not generally supposed that either the member of Parliament who recommends, or the Secretary of the Treasury who nominates, candidates for some of these lower appointments, really takes great pains to ascertain their precise qualifications; and it has even been alleged that it is not the most promising description of persons that seek admittance to the public service through such channels. So far, therefore, from the present system securing (as is so tranquilly assumed) a certainty of good practical officers, it not only gives no such security, but deprives us of what we might otherwise obtain, by excluding from the range of choice all those who cannot or will not enter the service by the low and narrow door of patronage. Indeed, is it not quite clear that, with any system of selection based upon political influence, it must, as already suggested, be a mere lottery whether the unknown client turn out efficient or the reverse? the chances being certainly not in favour of the public. Surely, then, if we are thus to choose in the dark, the simpler the lottery the better: the turn of a wheel or the cast of the dice would procure us just as likely officers as we get from the present complicated system, with, in addition, the important gain—to constituents, representatives, and the government—of the removal of a strong tempta-

* 'The Times,' July 31, 1858.

tion to servility and corruption. But if a simple lottery would be preferable to the existing plan, competition has advantages over both; since it not only abolishes the demoralizing influence of patronage, but also gives us something better than a chance—viz., a presumption—of the fitness of its prizemen for their duties. It is true that it does not follow that the most successful candidates will be physically the strongest men; but there is at least no reason why, as they will undergo the same medical examination, they should not be just as strong as those who are now appointed; and, with regard to industry, common sense, tact, and general aptitude for business, it cannot be hazardous to assert that there must be more probability of finding these qualities in a hundred young men who have at least done something well, than in a hundred other young men about whom nothing whatever is known.

My allotted time is exhausted, and I can therefore scarcely allude to the incidental benefits of the scheme. It would hardly be proper, however, in an educational section, to conclude without some reference to the advantages which popular education is to derive from this plan. Let me ask, then, what is it which from all sides is bewailed as the great obstacle in the way of educational progress? Is it not the unwillingness of parents to keep their children at school after they are able to earn a couple of shillings a week? The State, with its capitation grants, endeavours in vain to compete with the employers of labour; the working classes obstinately, and yet naturally, persist in looking at the question as one of the balance of pecuniary profit, and decide that education, for a child of ten or twelve, is no longer an eligible investment. How, then, are we to overcome this parental opposition? Most assuredly, *not* by teaching parents that the greater or less amount of education received by their children will have no influence upon their temporal prosperity. And yet this is what that influential teacher, the State, *is* teaching every day when it appoints promiscuously to its service, without distinguishing between the industrious scholar and the idle dunce. What the people want to have shown to them is, that there is a *bread and butter* value in education; and this they will be slow to believe so long as the preaching of the Secretary of the Privy Council is contradicted by the practice of the Secretary to the Treasury. If a young man who has prolonged his stay at school, and improved himself after leaving it—if he is to have no advantage over one who has done neither, it is vain to expect that either he or the class to which he belongs will consent to sacrifice the important earnings of their children for the sake of the unsubstantial advantages of mere intellectual improvement. But would not the state of things be very greatly changed if the conduct of the State were brought into harmony with its professed doctrines? and if the 600 or 700 situations to which persons of the working classes are now annually appointed were to be thrown open to competition, and bestowed according to at least *some* kind of merit? Would not the simple adoption of this plan be the most eloquent and forcible proclamation which the State could issue of its

belief in the *practical and pecuniary* value of education? For my own part, I cannot help thinking that such a policy would be fruitful in very great and very happy results—furnishing a striking example of what Sir G. C. Lewis calls 'the influence of authority in matters of opinion:' an influence in this case at once legitimate, powerful, and benignant. And I believe that its effects would not be confined to the mere applicants for Government appointments, but would extend to the people at large, who could not fail to generalize from so conspicuous an example, but would naturally argue that if education is essential for the *public* service, it cannot but be valuable in private occupations. The creation of this idea in the popular mind is now the one thing wanted. In the presence of so fruitful a conviction nine-tenths of our educational difficulties would vanish of themselves. To create it would be more than equivalent to doubling or trebling the capitation grants—it might enable us to dispense with them altogether. Whether it would not be in a great measure created by the simple and inexpensive plan of more open competition, at the same time that the sources of political corruption are greatly diminished and the efficiency of the public servants materially improved, is a question to which I trust this meeting will give a strongly affirmative reply.

On the New Oxford Examinations. By HENRY J. S. SMITH, M.A., *Balliol College, Oxford.*

THE Examination recently instituted by the University of Oxford, and known as the Oxford Middle Class Examination, has excited so much public interest as to deserve the attention of this department of the Association.

It is proposed in the present paper to give an account of the objects aimed at by the promoters of the scheme; to describe the general character of the Examination which they have succeeded in founding; and lastly, to indicate some of the results of the first Examination, which was held this year at Midsummer.

The Statute of Examination was passed by the University of Oxford in June last year. Its provisions are few and simple. It appoints that the Examination shall be annual and twofold—for junior candidates under fifteen, and for senior candidates under eighteen; that a certificate shall be given to every successful candidate; and that, in the case of senior candidates, the certificate shall be accompanied by the title of 'Associate-in-Arts of the University.' As the subjects of the Examination, it specifies English literature, history, languages, mathematics, the natural sciences, '*cæteræ artes quæ ad juventutem Liberaliter educandam pertinent.*' It contains, besides, a provision that every candidate shall be examined in the Rudiments of Faith, and Religion, unless his parents or guardians shall expressly decline this

part of the Examination for him. Finally, it provides for the appointment of a board of twenty-one delegates, to hold office for three years, to whom it assigns full powers for the nomination of examiners; for the regulation of the times, places, and modes of examination; and for the determination of the number and nature of the honorary distinctions to be granted to candidates deserving them. The delegates are further empowered by the statute to impose such fees on the candidates as shall be sufficient to cover the expenses of the Examination; and they are required to submit to the University an annual Report of their proceedings.

The preamble of the statute states that the Examination has been instituted in accordance with petitions received from many quarters; but it contains no declaration of the motives which have induced the University to sanction this great innovation on its ancient usages. In the absence of such an official statement, it is impossible authoritatively to assign the motives which have influenced the resolution of a numerous and not very unanimous body. Nevertheless, it may be presumed that the large majority of the Oxford convocation, which sanctioned the plan, concurred in the main with the views of Dr. Temple, Mr. Acland, and its other originators. It was felt at Oxford, as well as elsewhere, that a system of examination of the kind proposed by Dr. Temple was imperatively called for by the existing state of the education of the middle classes. It was also felt—and it is excusable if this was felt more strongly at Oxford than elsewhere—that, under existing circumstances, there was more chance of the task being successfully undertaken by the Universities than by any other public body. With respect to the former of these two points, it is undeniable that the improvement of middle class education is a problem which hitherto has been too much neglected. Nor is it difficult to see why this has been so. The education of the poor has justly absorbed the attention and energies of educational reformers. It was natural and right to help those who needed help the most, and who were the least able to help themselves. And, besides, what it was possible to do for the poor it was not so easy to do for the middle classes. The direct intervention of Government has given a definite organization and a national character to the education of the poor. But interference with Grammar or Foundation Schools would be difficult; with proprietary or private institutions impossible, even if desirable. The result is what might have been expected. During the last twenty or thirty years, a change of incalculable importance has passed over the lower education of England; and we may trust that during the same period the instruction given to the higher classes has gained both in breadth and depth. But there is no reason to believe that a corresponding improvement has taken place in the training provided for the intermediate classes. The elementary schools in England are under the inspection and control of competent persons, and the country has some guarantee for the quality of the education given in them. We have evidence that there is some uniformity in the standard at which they aim, and that some approximation to the standard is made.

Again, the great schools for the upper classes, though in a more indirect manner, are no less tried by the regulating test of a common standard. Pupils pass from them to higher educational institutions, where the merits of their previous training are speedily ascertained. The Universities themselves have not escaped the visitations of, first, a Royal, and then a Parliamentary Commission. But with middle class and commercial schools there is no corresponding check. There is no common standard—no public responsibility. Any person, qualified or unqualified, may open a private school; and it is alleged that the success or failure of these institutions is not always in fair proportion to their real merits or demerits. The education given in them is never put to any public proof; often to no private one. Parents are apt to be very indifferent judges of the teaching their boys have received at school; it often happens that they do not know what is best for their boys to learn, nor how it should be taught. As has been well said, 'in buying instruction for their children, they buy in the dark;' and if they make a mistake, they do not find it out till it is toe late.

The Oxford Examination was intended by its promoters to meet some of the evils of this state of things. In accordance with their design, it has been carefully adapted to the actual teaching in the schools; and it is hoped that it has thus avoided the appearance of undue interference with them, or of a rash attempt at innovation. It has not ignored the special and professional studies pursued in some of them; but its chief object has been to encourage the sound substructure of the elements of a liberal education.

The credit of success, and the honourable title of 'Associate-in-Arts,' have attracted this year, and will, it may be trusted, continue to attract, a sufficient number of candidates to give to the Examination that character of publicity which is essential to its permanent usefulness. It has been well received by many schoolmasters, who know from experience the disadvantages under which their profession labours. They regard it as a guide and help to themselves—as a stimulus to the diligence of their pupils—and as a test of the efficiency of their teaching, which they are glad to see equally applied. 'We want,' Mr. Templeton writes to Mr. Acland,* 'no State assistance or interference, but some such plan as you offer us—a scheme suggesting a well-defined course of branches to be studied, with the names of good books to be used in our work; and when we have fairly striven to do our duty, an opportunity, by a public examination, to show what we have done; and if that is satisfactorily done, a stamp of approval on the labours of the teacher by the publication of the success of his pupils; and if the Universities will be pleased to grant it, some honorary title which the pupil may carry out with him into the world, to aid him in after-life. * * * * In middle class schools, in these days, we sadly lack a stimulus to exertion among our pupils; and many an anxious master must see with grief

* See Mr. Acland's 'Oxford Associate-in-Arts Examination,' ed. 2, p. 90.

the apathy felt by some one of his pupils at an age when, if he had the boy's hearty co-operation, the greatest possible good might be produced. Your scheme gives the requisite stimulus: the youth has something to work for, which, if he has fair abilities and is diligent, will bring him present distinction, and possibly future advancement in life.'

As to the fitness of the two Universities for the office which they have now taken upon themselves, it is well to remember that, for the present at least, the choice lies between an University Examination and none at all. There is no other body sufficiently independent, and sufficiently commanding the confidence of the public, which is prepared to undertake the task. There are, doubtless, persons who would prefer to see a national system of middle class schools, examined and inspected by Government. But whether such a revolution in our existing educational arrangements be desirable or not, there is at any rate no immediate prospect of it; and in the meantime, the Oxford Examination is at least a step towards giving something of unity and organization to the education of the middle classes. Neither should it be forgotten, that one difficulty, which existed till recently, has been removed by the Oxford University Act. The legal admission of Nonconformists into the corporation of the University (though not into its governing body) has rendered it possible for the University to deal with the theological part of the Examination in a more liberal spirit than would have been consistent with its former constitution. There is now, therefore, no ground for the repugnance to an University Examination, which many Dissenters must have felt if the old exclusive system had been maintained.

A point of less interest to the world at large, but of some concern to Oxford men, is the effect likely to be produced on the University itself by the step which it has taken. It does not appear that the effect, if any, can be unfavourable. The immediate influence of the University extends to comparatively few; and the class from which its resident students come is not extensive, and is not rapidly extending. It cannot therefore lose, while it may gain, by bringing its influence to bear, in however transitory a manner, upon large classes of the community with which it has at present no contact. It may acquire a greater knowledge of the educational wants of the country, and may thus contribute to its own improvement; while a more extended knowledge of its system, and of the resources it has to offer, is likely, in the long run, to increase rather than diminish the numbers of its resident students. In the words of Dr. Shaw,* 'We do not agree with these objectors in regarding University education as a market town, and the proposed Examinations as a railway, which will supersede its functions and destroy its prosperity; but with us University education is rather a capital town, which the proposed railway will put in communication with a great district, the resources of which are at present undeveloped.'

* Quoted by Mr. Acland, 'Oxford Associate-in-Arts Examination,' p. 10.

The only part of the Examination statute which has met with serious opposition at Oxford is the clause conferring the title of Associate on the successful senior candidates. More importance, probably, has been attached to this particular feature of the scheme than the facts of the case warrant. It has been urged that if an A.A. can be obtained at eighteen, few persons will care to spend three years in residence, in order to obtain a B.A. at twenty-one. And this might be true, if the degree of Bachelor of Arts were the only fruit of a three years' residence in an university. But so long as the two titles represent two very different courses of study, and two very different amounts of proficiency, there is no fear of their real significance being misunderstood. It is not likely that the title of A.A. will pass for more than it is worth; and, on the other hand, if the Examination be conducted with proper care, it will never become so worthless as to bring discredit upon the University.

The following is an outline of the Regulations which were adopted by the delegates for the present year, and to which it is probable that, in the main, they will adhere for the future.

The junior candidates were required to satisfy the examiners in a Preliminary Examination consisting of seven parts:—1. Reading a passage of English prose aloud. 2. Writing from dictation. 3. The analysis and parsing of a passage from Goldsmith's "Deserted Village." 4. A short English composition. 5. The first four rules of arithmetic, simple and compound. 6. Geography. 7. The outlines of English History. A total failure in any one of these subjects deprives a candidate of his certificate. Every candidate was further required to satisfy the examiners in one at least, and not more than four, of the eight following subjects:—1. Latin. 2. Greek. 3. French. 4. German. 5. Mathematics. 6. Mechanics and Mechanism. 7. Chemistry. 8. Botany and Geology. Any candidate who pleased might also offer himself for examination in Drawing, and in the Grammar of Music. The names of the successful candidates are published in a list of three divisions; those in the first division being arranged in order of merit, and in the second and third alphabetically.

The senior candidates were also required to pass a Preliminary Examination similar in its character to that of the juniors, but less elementary than it. They had then to satisfy the examiners in any two or more of the following six sections:—A. Of English History and Literature. B. Of Languages. C. Of Mathematics. D. Of Physics. E. Of Drawing. F. Of Music—subject only to the restriction that the two last sections alone should not be considered sufficient. The names of those successful candidates who distinguished themselves in any section are published in a list of two divisions for that section; the first division being arranged in order of merit, and the second alphabetically. The names of the other successful candidates who have not deserved honourable distinction in any section are published in a general alphabetical list. The examination both of seniors and juniors was conducted in writing.

On account of the number of the candidates, and also as far as

possible to save them from expense, it became necessary that the Examination should be held in different places simultaneously. Ten places, besides Oxford, were fixed on as local centres of examination—London, Bath, Bedford, Birmingham, Cheltenham, Exeter, Leeds, Liverpool, Manchester, and Southampton. To the local committees formed in these towns, the University is under great obligation. To their exertions in procuring the attendance of candidates, and in superintending the local arrangements the success which has attended the Examination this year is attributable in no inconsiderable degree. Nevertheless, considering the expense, trouble, and responsibility which is thus devolved on gentlemen who have only a general interest in the Examination, one cannot but regret that a scheme intended to be permanent and self-supporting, should be dependent for its successful working on the voluntary co-operation of ten or more local committees.

It was justly considered of great importance, on the ground of avoiding expense and inconvenience to the candidates, that the examination should be concluded within the week in which it was commenced; and one of the principal difficulties experienced by the delegates was to find time within those narrow limits for an examination so multifarious in its character. Thus, with the exception of the reading aloud, the whole of the junior Preliminary Examination had to be comprised in the space of eight hours and a-half in all; for the Preliminary Examination of the seniors, only six hours could be spared. Though it does not appear that these spaces of time were in themselves insufficient for the questions set to be answered in them, yet, when we come to take into consideration the inexperience of many boys in examinations, the nervousness of some of them, and the slowness of others to understand the meaning of the directions given to them, it will be felt that the complaints of unsuccessful candidates on this head have not been wholly groundless, and it is to be hoped that in a future year the delegates will see their way to be more indulgent to the infirmities of candidates in this respect. On the other hand, it cannot be desirable that they should relax the stringency of their regulations with regard to the Preliminary Examination, which has this year been the cause of so much disappointment. It is true that the subjects included in it are somewhat numerous, but they are all indispensable elements of a sound education, and are recognised as such even in elementary schools. The delegates have done wisely in refusing to take cognizance of the merits of the superstructure till they are satisfied of the goodness of the foundation. It would be absurd to grant certificates to boys who cannot spell, or do a compound addition sum, because they have been taught Latin and Algebra, or even Greek and Trigonometry. To do so would be to give a preference to the show of knowledge above the reality of it, and to offer direct encouragement to the worst temptations which beset a middle class school.

A few other points in the character of the Examination call for a passing notice. The English section in the Senior Examination is one

which derives peculiar interest from its popularity with the candidates, and from the success which they obtained in it, as well as from the educational value of the subjects included in it. They are as follows:—1. English History, from the battle of Bosworth Field to the Restoration. 2. Shakspeare's King Lear and Bacon's Essays. 3. The Outlines of Political Economy and English Law—viz., the subjects treated of in the first book of the *Wealth of Nations*, and the first volume of Blackstone's *Commentaries*. 4. Physical, Political, and Commercial Geography—a fair knowledge of any one of these four classes of subjects being sufficient for a pass in the section. It is remarkable that the average of failures in this section was lower than in any other, from which we may infer, either that these subjects are better taught than others in middle class schools, or, what is more probable, that the pupils are more independent of assistance in learning them.

In the section of Languages were included Latin, Greek, French, and German—a fair knowledge of any one of the four sufficing for a pass. No books whatever were suggested to the candidates, and the passages proposed to them for translation were consequently "unseen pieces." This resolution of the delegates has been much criticised, as bearing very hardly upon the candidates, and not without apparent reason; since, in the ordinary examinations for degree at Oxford, the candidates are examined in books which have been selected by themselves, or else have been prescribed to them beforehand, but which, in either case, have been previously prepared by them. The University, therefore, may seem to have dealt more severely with the youths concerned in the present Examination than with its own matriculated students. It is observable, too, that the Cambridge Syndicate, in their regulations for the approaching Christmas Examination, have not followed the example set to them by Oxford, but have specified books on which the Examination is to turn in each of the four languages. Nevertheless, the somewhat bold experiment of the Oxford delegates does not appear to have led to any serious consequences, for the percentage of failures in this section is not so high as in some others; and if, as this fact appears to show, the test is not too severe for the capabilities of the candidates, there is something to be said for it. It holds out a less inducement to "cram;" and there can be no doubt that it is the truer criterion of real knowledge of a language.

The Cambridge Regulations differ from those of Oxford in a few other points. Cambridge confers no title of Associate on the senior candidates; a circumstance which is to be regretted, as it gives to one of the Universities the appearance of outbidding the other.

Again, the Examination in Religion is very differently regulated by the two Universities. According to either system, the parents of a candidate are allowed to decline the theological examination for him. According to the Oxford plan, it consists of two parts—one in the Holy Scriptures, the other in the Prayer Book—and both of these are equally obligatory on all candidates who do not decline it altogether. But the marks obtained in it do not contribute anything to the suc-

cess or failure of the candidate; if he succeed, the fact is entered on his certificate, and that is all. On the other hand, the Cambridge Syndicate prescribe a Biblical Examination, and then allow the candidates the alternative of certain parts of the Prayer Book, or of Paley's *Horæ Paulinæ*. Thus Nonconformists are practically excluded by Oxford from the theological part of the Examination, while they are admitted by Cambridge. But, according to the Cambridge system, religious knowledge forms a section by itself, which counts like any other, whether for a pass or for honours; and if a candidate decline this section, he must pass in another instead. Thus, while both Universities have shown an equal wish to treat all religious denominations with perfect impartiality, Cambridge differs from Oxford by offering a much stronger inducement to candidates to accept the Examination in Religion. It is, however, gratifying to find that, even under the Oxford Regulations, it was declined by only a minority of the candidates.

A curious circumstance is, that in the arrangements for the honours to be given to successful candidates, each of the two Universities has abandoned its own peculiarities, and adopted those of the other. The names in the first divisions of the Oxford Division Lists are in order of merit, like the names in a Cambridge Tripos; while the Cambridge Honour-classes will be alphabetical, and will thus resemble the Class Lists of an Oxford examination for degree.

With these exceptions, and a few others of very minor importance, it is a matter of congratulation that the Cambridge and Oxford Regulations differ so slightly as they do. And there is every reason to hope that there will be no marked discrepancy in the characters of the two Examinations. Such a discrepancy would, not undeservedly, shake the confidence of the public in one or both of the examining bodies. It is indeed much to be wished that the two Universities would have consented to act in concert, and to nominate a joint commission which should superintend the Examination, and grant certificates in the name of both. It is a waste of labour to conduct two Examinations yearly, when one would answer as well, or better. It is not good for boys to be always examining them; neither is it very desirable for their schoolmasters; and it is especially hard upon the local committees to have to satisfy the double requirements of two sets of taskmasters. But it is not likely that a proposal for joint action will as yet find favour with either University. And in the meantime we may console ourselves with the reflection, that the two Examinations are to a certain degree a check upon one another; and that, if competition has a tendency to make boys do their work well, it may not be wholly without its effect upon their examiners.

As to the results of the Examination, the amount of success obtained in the different subjects by candidates from different parts of England, shows that the total numbers of failures and successes bear the same proportion to one another in the junior and senior Examinations. In the former, out of 401 candidates, 200 passed in the Pre-

liminary Examination, and 150 received certificates; in the latter, out of 749, 379 passed in the Preliminary Examination, and 279 obtained certificates. Thus, in both, one-half of the candidates failed in the Preliminary Examination; and of those who passed in it, one-fourth broke down in their other subjects—so that, in each Examination, about three-eighths of the whole number examined were successful.

We find the following proportions of successes to failures in the principal subjects of the junior Examination :—

	Per Centage of Successes.
Religious Knowledge	72.0
Latin	51.0
French	42.0
Mathematics	23.0
Chemistry	29.5
Drawing	30.0

It will be observed that the average of success is much lower for Mathematics than for Latin or French; a fact not in accordance with the common opinion, that Mathematics are better taught at commercial schools than any other subject.

Among the senior candidates the average of success has been highest for the English section, less for that of Languages, and very much less for Mathematics. The low average of success in Drawing is also remarkable, only 16 per cent. of the candidates in that section having passed, whereas the corresponding average for the junior candidates is 30 per cent. But the junior Examinations in Greek present the most surprising result. Out of 140 candidates who entered their names for this subject, only four satisfied the examiners in it. Probably, not nearly all these boys actually presented themselves for examination in Greek; nevertheless the result, when taken in connexion with the 50 per cent. of failures in the Preliminary Examination, is an indication that the masters of schools are apt to attempt more with their pupils than they can accomplish with success.

From the Division Lists, it appears that out of 150 successful senior candidates, 108 were considered deserving of honourable distinction in one section at least. There are no fewer than twelve instances in which senior candidates would have been entitled to places at least in one first division, if it had not been for failure in the Preliminary Examination. Out of 279 successful junior candidates, 31 have been placed in the first, and 103 in the second division.

It would be hasty and unfair, before the publication of the Delegates' Report, to draw conclusions from the results of a single examination as to the state of education in different parts of the kingdom. It may, however, be observed that, on the whole, Bath, Exeter, and Liverpool have particularly distinguished themselves. On the other hand, the ratio of success to failure has been lowest at Manchester for the juniors, and at London for the seniors. It must be remembered that the numbers of candidates from those two places

have been very large, and that probably they were selected with less discrimination than elsewhere. Nevertheless, the unfavourable impression thus produced is confirmed, in the case of Manchester, at least, by the Division Lists. In the whole Examination, not one candidate from Manchester has obtained a place in a first division; and when we remember the great importance of the arts of design to the manufactures of this country, it is with regret that we find that only six Manchester candidates have passed in Drawing, and that, of those six, five have failed in the preliminary subjects.

Examination Schemes, and their Incidental Effects on Public Education. By J. G. FITCH, *Principal, Normal College, Borough Road.*

NO phenomena in the educational horizon at all approach in importance the rapid extension of a method of examination hitherto almost exclusively confined to the students in the Universities—first, to candidates for appointments in the military, naval, and civil service of the Crown; then, to the alumni of mechanics' institutions, by the Society of Arts; then, to the boys of middle class schools, by the College of Preceptors, and by the Universities of Oxford and Cambridge; and lastly, to the children of National, British, and other elementary schools, in the form of prize and certificate schemes, promoted by benevolent employers of labour, and carried out with the help of her Majesty's inspectors of schools.

On the whole, these movements are among the most hopeful signs of the progress we are making. They originate, doubtless, in an increased perception of the value and importance of knowledge, and in an increased desire to apply to the knowledge imparted in our various places of education a thorough and searching test. The advantages of applying such a test are very obvious. No one doubts that the stimulus imparted by examinations is greatly needed in all our schools; that the work done in them might be better than it is—wider in its range, and more thorough in its character. Nor is it at all to be questioned that examinations, when rightly conducted, may do much to promote greater soundness and accuracy in teaching, and to encourage both pupils and teachers to greater efforts. All this may be readily conceded, and will suffice to account for the sympathy with which every new scheme of competitive examination is welcomed by the public. There are, however, a few considerations connected with the extension of such schemes, especially in the direction of our elementary schools, which appear to me to justify some little anxiety. I believe that it is quite as important for us to ask ourselves what it is that examinations cannot do, as to take measures for increasing their number and registering their results. If there be any evils,

actual or possible, attendant on the spread of examination schemes, it is very important that we should inquire whether any precautions can be taken for preventing them. It is with no wish, therefore, to indulge in vague declamation against what some have called the 'Examination Mania,' that I shall enumerate one or two of the principal drawbacks to the usefulness of examinations. I cannot conceive a more important duty to be discharged by this Association, at the present juncture of our educational history, than that of investigating the general principles which should be kept in view in all public attempts to test school-work, and of suggesting such corrections as may secure to the public all the advantages which such examinations can afford, and at the same time guard against the evils they may involve.

The general type of examination followed in our recent movements has been that with which we are all more or less familiar—the University Examination—conducted mainly by printed questions and written answers, marks being assigned in a certain numerical proportion to each answer, according to its degree of excellence. But in the case of colleges and universities, the object is to test the student's attention to a prescribed course of study; the examiners are, if not actually the teachers, at any rate intimately acquainted with the studies of the places; the persons examined have undergone pretty much the same training, and are aiming at the same sort of distinction. There is here a manifest propriety in setting up a uniform standard, and in testing large numbers by the same questions. The conditions under which young people present themselves for examination before the Society of Arts, before the Oxford and Cambridge examiners, or before the authorities who manage prize schemes in connexion with primary schools, are very different. The examiners are not only strangers to the persons examined, but also to the places of their education, to the methods by which they have been taught, and to the peculiar circumstances under which they present themselves. The candidates have not undergone a common training; they are not looking forward to a common destiny. Yet to apply the same standard of measurement to all these various cases is absolutely necessary; or candidates and their teachers will have a right to complain, if the conditions and character of the examination are not clearly defined beforehand, and if those conditions be not rigidly adhered to. The wider the area from which the candidates are taken, the greater is the need for narrowness and precision in laying out the plan of examination. There is no room here for the idiosyncracies of the examiners, for the occasional variation of the test, or for any unpremeditated or unannounced departure from the prescribed conditions of the examination. Anything of this kind will be said to involve a positive injustice to the candidates, and is sure to call forth indignant protests. It is certain that if the middle class examinations and other cognate schemes really fulfil their purpose, and make their influence felt upon the schools, the standard set up must not only be generally recognised as a good one, but must be to a great

extent definite and unchangeable. The natural effect will be to diminish the diversities of practice and of modes of teaching now in use. All good schoolmasters will seek to adapt their plans to the new requirements, and in doing so will approach more nearly to the adoption of a uniform routine. They will find out what book an examiner recommends, or, better still, what book an examiner has written, and their course of preparation will be guided by the supposed fitness of their plans to secure the success of the candidates.

Now, it is worth while to ask the question, 'Is such uniformity of practice desirable?' There can be no doubt that it is the inevitable tendency of all examination schemes to foster it, and a high standard is, no doubt, better than a low one. But are uniformity and routine in themselves desirable? Is it not rather the fact that our main security for the thoroughness and success of our teaching lies in the independence of the teachers, and in their power to employ the methods by which they feel they can teach best? No man works so well in the groove which others have cut out for him, as in the path which he has carved out for himself. When any teacher is engaged in working up boys to a standard which has been set up by strangers, he works more mechanically and less intelligently than when he has set it up for himself. And this becomes more true, the lower you descend in the work of education. It is in elementary instruction, and in the work of our common day schools, that there is the most need for independent and original methods, and for the exercise of the teacher's own special gifts and power of adapting means to ends. What is wanted in primary education is to leave an intelligent man free to get at the mind of a child in the way which he thinks best; and the more you encourage him to invent and contrive his own methods, the better. But lead him to inquire what are the books prescribed for his use by some foreign authority, what methods are supposed to be in favour with examiners, and what subjects will tell best in an examination, and in just that proportion you diminish his own self-reliance, and help to convert him into a machine.

Moreover, every school which is worth anything has its *specialité*, its pet subject, in which the teacher takes peculiar interest, and in which he is more successful than in any other. Some of the best features even of many elementary schools depend on this fact. Sometimes the circumstances of the neighbourhood,—sometimes the probable destination of the majority of the boys,—more frequently the special gifts and tastes of the teacher himself, determine the peculiar character of the school. As a place of moral discipline, and an arena for the encouragement of spontaneous exertion, a school is all the better for possessing a specific character of this sort. Whenever it exists, all our plans and movements ought to encourage it. But there can be little doubt that all central examinations and uniform tests tend to destroy it, and that here is a legitimate reason for caution and watchfulness in regard to them.

Again, it must always happen in general examinations that the test employed is a *written* one. This is, undoubtedly, a necessity of the

case. In *vivâ voce* interrogation, nervousness and timidity place certain candidates at so great a disadvantage, that the paper test is almost always adopted, and is likely to be adopted still more generally. Now, everybody knows that, on the whole, this method of examining is the best for older students; but how does it operate upon children? In a juvenile examination there can be no room for original composition, nor any for speculation or comment upon the several subjects of instruction; the examination must test memory-work only. Now, the character of the examination will always determine the character of the teaching; the preparation in an elementary school must therefore be expected to take the form of learning words, rules, and formulæ by heart: and the increase of written examination must necessarily be attended with an increase of book and memory-work. Now, all who are familiar with the history of elementary schools are aware that, a generation since, everything taught in them was learnt in the form of tasks. Memory was cultivated, and the understanding neglected: words were learnt, but the things which the words represented were rarely understood. What has been the design of all our educational movements, and of our training colleges, during the last few years? Has it not been to lead teachers to the adoption of more intelligent methods? Instead of giving dry lessons to be learnt by heart, teachers have been led to explain, illustrate, and question on the subjects taught; and to subordinate mere routine and memory-work to the culture of the perception, the judgment, and the reasoning powers. In this way, vigour, life, and intelligence, have been infused into elementary teaching, and the result has been an amount of mental activity in our primary schools which has given a great impetus to the spirit of inquiry and the love of reading among the children of the poor. There is no doubt that the prevalence of examinations, conducted as they must be mainly by means of written papers, will produce a reaction in this respect. In so far as they influence the practice of the schools whence the candidates are drawn, they do assuredly tend to bring back the mechanical methods of instruction against which all our best teachers have been striving with so much difficulty, and even at best with only imperfect success. Setting lessons is so much easier than teaching; long exercises, methodically arranged and neatly written out, tell much better on an examination than *vivâ voce* illustration and earnest teaching; and as this becomes more and more evident, it cannot fail to affect the habitual practice of our schools, and, *pro tanto*, to discourage oral instruction. Such a tendency cannot be viewed without some concern. After all, the highest and best teaching is that which brings the mind of a learner into immediate contact with a superior mind. No book-work can ever really be a substitute for thorough and frequent interrogation on the part of the living teacher. And this, which is true at all ages, is especially true in childhood. Then acquirement is subordinate in importance to development: processes are even of more consequence than results. Take arithmetic, for example. In this subject, a boy wants something

more than the comprehension of the principle of a rule, and the power to work sums on a slate. He needs readiness, quickness, promptitude, flexibility of mind, and the power to perceive new combinations of numbers in an instant. In the business of life this is of more importance to him than the rote-knowledge which a book can give. Now, in all our best elementary schools this necessity is recognised. It is met by the frequent practice of mental arithmetic, and by a number of exercises intended especially to give boys dexterity in the use of numbers without the aid of writing. But this is a power which examinations cannot test, and which examination-schemes cannot therefore recognise. It is only one instance of several which might be named, in which the introduction of written tests into our lower schools tends to discourage the more intelligent and laborious methods of promoting mental activity, and to drive teachers back upon the adoption of mechanical instruments.

I am sure that this is not an imaginary danger. The descent to the 'Avernus' of routine and memory-work is facile enough. Compendiums, summaries, model answers to former questions, will spring up rapidly in answer to the demand; and plenty of contrivances will soon become accessible for enabling a schoolmaster to obtain the maximum of credit for the minimum of work. We may see already, from advertisements in the newspapers, what has been the effect of the great increase of competitive examinations on the education of older students. The task of preparing men to pass such examinations has become a trade. Its professors undertake, for a given sum, to carry a man through any examination if he will but follow their directions. They study the exact character and phraseology of past questions; they have learnt the art of condensing all information into the form which, although the most readily available in an examination-room, is perhaps the least so in the practical requirements of after-life. They have little or no responsibility as to the growth of the student's mind or character, but they are skilful in measuring probabilities, and in devising means for meeting each question with the smallest possible intellectual effort on the part of the student. What is of most importance to us is the fact that teachers of this class are generally successful, and that, in the long run, their men pass more easily than those sent up by laborious and conscientious teachers, who refuse to burden the memory of a student with what he does not understand.

Evils of a kind analogous to this have a tendency to extend themselves in direct proportion to the increase in the range of examination projects. But they become relatively greater as we descend to elementary instruction. It is bad enough that an adult student should possess himself of an undigested mass of facts in order to pass an examination, but it is far more mischievous for a child. A mistaken estimate of the worth of his own acquirements is more fatal in the early than in the later stages of a lad's education. I think, when this is considered, we shall perceive that special caution is needed in any attempt at extending examination-schemes downwards to the lower

classes of scholars; and that to measure their educational status mainly by the quantity of matter they can put upon paper, will be a grave mistake.

There is another tendency which is at work in the exact proportion in which schemes of examination influence the character of elementary schools—I mean the tendency to confine the instruction to the upper classes, and to neglect the lower. The reputation of a school ought in the main to depend on the thoroughness with which all its work, and especially its humblest work, is done. In schools for the poor, it is especially necessary to keep this standard of measurement in view. The function of such schools is to provide instruction for children the majority of whom must necessarily be undistinguished, will leave school early, and have but little time to devote to learning. It is among these that the best efforts of a teacher are needed. Whatever withdraws his attention from this department of his duty is in itself mischievous. The picked boys of a school—those who will be the competitors for prizes and certificates—are precisely those who least need a teacher's special care. The simple practical knowledge of Holy Scripture, and of reading, writing, and arithmetic—knowledge which will not suffice to obtain a prize, or carry its possessors through an examination—is, after all, the thing which it is the first business of an elementary teacher to give. Instruction in these things, however narrow in its range, should nevertheless be good of its kind, and as thorough and complete as possible. All schemes of examination must overlook this necessity, and concern themselves mainly with the small minority of learners who come up to the surface, rather than with those who form the mass of the school.

I feel sure, therefore, that in extending prizes and other examination projects to elementary education, provision should be made for securing the general and average efficiency of the schools throughout their lower departments. We must always estimate our work, and our plans ought to be such as to lead teachers to estimate their work, by the success with which *all* the children are taught and trained, rather than by the proficiency secured in a few exceptional cases.

Some years' experience in the training of young men for the office of schoolmaster, and in watching the results of that training in the elementary schools, has led me to desire an opportunity of bringing these considerations before the notice of this Association. In the Normal College of the British and Foreign School Society, it has been my duty for a long time to apply periodical tests to the instruction imparted, and to compare the results of written examination with my actual knowledge of the students, their aims, their mental gifts, their moral power, and their ultimate success as teachers. With every disposition to recognise the value of paper-work as the best available security in the long run for accuracy, fulness, and soundness of study, I have yet been learning little by little to distrust its efficacy when used exclusively, and not supplemented by other methods of testing. Though accustomed to deal with a large body of young men and women who have passed through the same course of study,

and are destined for a common profession, I am yet daily confirmed in the opinion that the best part of the work we do cannot show itself on paper, and that the relative merits of the students can never be thoroughly estimated by any summary examination, however skilfully conducted. The paper test tells nothing of the moral status of the men—of their teaching ability, of their readiness, of the flexibility with which they can adapt their knowledge to new circumstances, of their promptitude, their judgment, their power to gain influence over others, or of the spirit with which they undertake the teacher's work. In proportion to the degree in which we rely on mere paper examinations, we find ourselves indirectly encouraging cramming, diminishing independence and originality of thought, substituting routine for invention, memory for intelligence, and the dulness of the mere student for the freshness, life, and animation of the energetic teacher.

And if this be the case among adult students, where these dangers can be constantly watched and guarded against, it is so in a much greater degree as we descend lower in the scale. For I believe it will be found unquestionably true, that the younger your scholars are, and the humbler the education which you impart, the smaller relatively is the proportion of that education which takes the shape of mere instruction, and admits of being easily gauged by examination. My own experience has led me especially to dread the application of too rigid and uniform a standard to the work done in our National, British, and other primary schools. In them it will always be an easier task for a teacher to work up a respectable per-centage of his elder boys so as to answer questions on any given subject, than to carry out the main intention of the school as a whole—by training the mass of the children in habits of obedience, of thoughtfulness, and observation; in fitness for the duties of daily life, and in the fear of God. Similar temptations will, of course, await the middle class teacher, unless due precautions be taken, in the extension of examination-schemes, for correcting the tendencies of which I have spoken. What those precautions and corrections should be, will probably be elicited in the course of the discussion. It is at least one step towards the solution of a difficulty, to know that there is a difficulty to be solved, and to recognise its importance.

Organization of the Middle Schools in Germany. By Dr. W. Ihne.

THE great efforts which have lately been made in this country to improve the character of middle class schools by means of a system of Public Examinations, suggest the advisability of inquiring into the organization of the corresponding class of schools in a country which for a long time past has deservedly ranked high in an educational

point of view. It will not be necessary to distinguish between the schools of the various German States, for the differences are very slight, the same broad principles pervading them all alike; a fact which in itself is no small proof of the soundness of the general plan.

The first great distinguishing feature of German middle schools compared with those of England, is that they are almost exclusively public institutions—*i.e.*, the property not of individuals, but either of the State, of towns, or other public bodies or endowed establishments, all alike under the control of the State. Private schools also exist, but their organization differs hardly at all from those which are public.

In England, Government has as yet not interfered in the so-called public schools, and in the numerous endowed schools. The jealousy of Government interference is very deep-rooted, and no doubt to a great extent very wholesome. But no discerning observer can have failed to see that there is a growing disposition in this country to place confidence in a public and national authority, and to entrust the guardianship of the public interests to a publicly constituted and responsible authority, rather than to the multifarious, self-constituted, irresponsible, interested, and capricious agencies which in too many ways have been found unequal to their tasks.

It is not to be feared that Government control will ever become tyranny in this country. The spirit of the English people is a sufficient guarantee against such a contingency; this is the more likely, if we observe that even in Germany there is indeed a uniformity of plan, but withal a great deal of freedom in the working out of that plan, both in the hands of local governing bodies and of the school managers themselves. In general, it may be said that the *amount of work* is prescribed in every department, but the greatest possible scope is given to the teachers as to the *mode* in which they propose to attain that end; school-books and methods are not enforced by Government authority, and there is, in consequence, a great variety of such books, and a rivalry among the advocates of various systems of teaching.

The first stage of State interference shows itself in the training and examination of qualified teachers. With the exception of the teachers of writing, drawing, music, and often even those of modern languages, all the teachers of middle schools are required to go through a triennial University course, and to pass a very strict examination before they obtain an appointment, or lease, to establish themselves on their own account. The general plan is, that a candidate selects one or two departments to study at the University, and to pass his examination in—viz., classics or mathematics. The former includes all literary studies—history, geography, German language and literature; the latter embraces the physical sciences, natural history, physics, chemistry. The modern languages have, unfortunately, not yet obtained at the universities that footing and acknowledged rank that their study could form a separate department. The teaching of

modern languages, therefore, is entrusted either to a mathematical or classical teacher who may show a sufficient qualification, and sometimes even to others who have not the university education at all.

On the whole, it may be said that, thanks to the numerous universities, and to the cheapness of the charges for university education, and also thanks to the strict examinations of teachers, there exists in Germany a good supply of competent teachers. Their intellectual attainments are perhaps higher than they need be—a circumstance which often makes them aim at objects beyond the sphere of school teaching. As to pedagogic skill, this is a quality which cannot be acquired by industry and perseverance, nor so easily tested by examinations; there is therefore a great difference among the German teachers as regards this quality—and it happens often that great intellectual eminence is almost neutralised by a want of aptitude, temper, vigour, tact, mildness, or other of the numerous moral qualities required in a good teacher.

An attempt is indeed made to add pedagogic skill to the intellectual training of teachers. After having passed through their examination, they are required to spend one year as teachers on probation at some school. They are not entitled to any salary during this time, and are under the special superintendence of the rector of the school, who is called upon to assist and guide them in their first attempts at practical teaching. This arrangement must, upon the whole, be pronounced a failure, chiefly because the rectors are not inclined to devote much attention to an additional labour thrown upon them without any additional remuneration, and because there are as yet no canons of practical teaching which can be taught or enforced even by the best and most willing master.

But the question of the training and examining of teachers is one beside the immediate object of this paper. It is one of the greatest importance, but at present I propose to deal more with the organization of schools themselves. The schools generally understood by the name of middle schools, fill up the space between the elementary school on one side, and the university, or a calling or station in life which requires a liberal education, on the other. According to the diversity of the final destination of the pupil, the schools are divided into two classes—the *gymnasia*, and the *real-schulen*. The former correspond in the main with the English grammar schools, the latter with the commercial schools. I shall speak first of the gymnasia.

The gymnasia are intended for scholars from the eleventh to the nineteenth year. To be complete, they ought to have nine separate classes, the course in each class being annual. But in the great majority of gymnasia, the first and second, and often the third class from the top, have a biennial course; so that every year these classes consist of pupils who have already had one year's instruction in that class, and of new-comers. This arrangement must be regarded as an imperfection, for it is impossible to do justice to a class of boys, if they are joined with others a whole year in advance of them, or behind them. In the larger towns, where there are ample means,

this defect is obviated, and there are as many classes as a pupil is expected to remain years at the school.

The system of annual promotion of the pupils from a lower class to a higher is a fundamental characteristic, and one of the most distinguishing features of the German schools. It is by this arrangement that the course for each class can be marked out with the greatest accuracy, and masters and pupils can be held to accomplish the annual task in the prescribed time. The pupils failing to do this are obliged to remain another year in the same class; and if they fail a second time to give satisfaction, at the final examination they are generally advised to leave the school.

The masters who neglect to go over the prescribed ground, or who do it inefficiently, are easily found out by the rector, and by those other masters who receive the boys of the lower class when they rise into the higher. These masters are of course anxious to have the boys well prepared, and they are not slow to complain if they find them insufficiently grounded.

The tasks for each of the nine years of a gymnasium course are laid down with great minuteness in the Regulations of the Government. The planning of the time-table is one of the highest and most important functions of the Minister of Public Instruction, and it is this which, next to the quality of the masters, characterizes a school most minutely. There are, indeed, in the different parts of Germany, some variations in the arrangement of this time-table, but upon the whole there is a wonderful family likeness pervading them all, and it will therefore suffice to give one as a specimen :—

Subjects.	Class VI.	Class V.	Class IV.	Class III.	Class II.	Class I.
	Hours Weekly.	Hours Weekly.	Hours Weekly.	Hours Weekly.	Hours Weekly.	Hours Weekly.
Latin	9	9	9	8	8	8
Greek	–	–	5	5	5	5
German	6	6	5	4	3	3
French	–	3	2	2	2	2
English	–	–	2	2	2	2
Hebrew	–	–	–	–	2	2
Religious Instruction	2	2	2	2	2	2
History and Geography	3	3	3	3	3	3
Mathematics	–	–	4	4	4	4
Arithmetic	4	4	–	–	–	–
Physics	–	–	–	–	2	2
Natural History	2	2	1	1	–	–
Writing	6	3	1	–	–	–
Singing	2	2	2	2	2	2
Gymnastics	2	2	2	2	2	2

It is seen from this table that Latin and Greek are still by far the most important subjects of instruction in the gymnasium. They occupy nearly half the time. Arithmetic and mathematics come next, at some distance from the classics; and then, with an average of two

weekly lessons, the various subjects which have been grafted upon the old Latin school by the requirements of modern life—viz., French, and sometimes English, modern history, geography, physics, natural history, and the German language and literature. Religious teaching is an essential element in all schools. It occupies two weekly lessons, and is in the hands either of one of the regular staff of masters, or of the local clergy.

It would lead us too far to trace in detail the maximum and minimum of studies prescribed for each class, but it will be necessary to state briefly what is the course of the first class :—

1. Latin.—Ten lessons weekly.
   Reading of a Latin poet, such as Horace or Terence; and of a prose writer—Cicero, Livy, Sallust, or Tacitus. Latin essays and translations. Very rarely metrical exercises. The speaking of Latin practised in several schools.
2. Greek.—Six lessons.
   Reading of Homer or Sophocles, and of Thucydides or Plato. Translations into Greek.
3. German.
   History of German literature. Essays.
4. French.—Two lessons.
   Reading of Racine, Molière, or some other authors, prosaic and poetical. Translations into French. Speaking French commenced.
5. Hebrew. Two lessons.
   For those only who intend to study theology.
6. Religious Instruction. Two lessons.
   Church history. Reading of some New Testament book in Greek.
7. History and Geography.—Three lessons.
   Differently arranged at the different schools; but generally so that after a short survey of the whole of universal history, that of Greece, Rome, and Germany is gone through more particularly. Geography likewise.
8. Mathematics.—Three hours.
   Solid geometry, permutation, combinations and variations, the binomial theorem, Arithmetical and geometrical series. Spherical trigonometry and conic sections are rarely attempted.
9. Physics.—Two lessons.
   Differs greatly.
10. Philosophy.—One lesson.
    Elementary and introductory lesson, especially in logic and psychology.
11. Singing.—Two hours.
12. Gymnastics.—Two hours.

This makes altogether thirty-eight hours, of which thirty-two are compulsory; and two for Hebrew, two for singing, and two for gymnastics, are more or less voluntary.

The test applied to every school and to every pupil, in order to

ascertain if the prescribed amount of work has been properly done, is the Matriculation Examination, or the *Abiturienten Examen.* This is held not at a university, but at the respective gymnasia, in the following manner :—

Large States like Prussia are divided into educational districts, which coincide with the provinces. In each of these there is an educational board, which is intermediate between the schools and the central Ministry of Public Instruction. At the head of this provincial board are two councillors, one Protestant and one Catholic—at least in the provinces with a mixed population—who select from papers sent in by the rector of each school the examination questions for each year. The masters of each school thus virtually draw up the examination papers. The examination takes place under the superintendence of the masters of each school, who relieve one another in the task of watching the candidates.

The papers are looked through by the respective masters, who mark the mistakes made, and append their judgment; they are then sent for revision to the provincial councillors. Candidates whose papers have proved unsatisfactory are rejected; the others have to pass through a *vivâ voce* examination, which is held in presence of the provincial councillor, by the respective masters in each school. The provincial councillors thus hold a sort of educational circuit, and establish that unity which otherwise could not be maintained. They interfere whenever they think proper, put questions, direct questions to be put, or supersede the examining master entirely if they think fit. There is no competition between the candidates of one school and those of another. The only question to be solved by the examiner is, whether the candidates are ripe for the university.

It is observable that the masters of each school have a great part in the examination, and that virtually they are the examiners. This is found to be safe to the public, and fair to the masters and pupils. It is safe, because all the masters are sufficiently qualified and independent to be relied upon as trustworthy in such a delicate task, and because the presence and superintendence of the provincial councillors would check any irregularity that might be attempted. It is fair, because every teacher has his own peculiarities of method and manner; so that pupils accustomed to that might easily be puzzled by a question put by a stranger, which if put in a way familiar to them, they could answer readily. As no uniform set of school-books is enforced, and as it is desirable to leave as much freedom as possible to men of talent and invention, it is perhaps well that this should be so. If there were, however, a general competition among all the candidates, or if the teachers were less reliable, it would be necessary to supersede them to a great extent in the examination, though even then it may be doubtful if the *vivâ voce* questioning of their pupils should be taken out of their hands entirely.

The result of this system of examination is, on the whole, satisfactory. It is most effectual in keeping up the standard of university teaching, by supplying a class of students who can take and will take

nothing but a superior class of university teaching. It is, at the same time, the one goal to which the attention of all the schools is directed.

Nor are its beneficial effects confined to those young men who wish to enter the university and to prepare for a learned profession. By fixing a certain standard attainable for youths of nineteen, it is a guide to all schools in the country, public and private, and especially to that great and increasing class of schools which the commercial and manufacturing exigences of our time have called forth, in opposition to the old classical schools.

These schools are called 'Real-Schulen' in Germany. Their organization is analogous to the gymnasia. They have annual courses, six classes, a gradually ascending scale of tasks; in short, they only differ from their elder sisters in this—that they substitute modern languages for ancient, and extend the course of natural sciences, at the same time giving in to the commercial wants of better handwriting and more arithmetic. Greek is dropped in all; Latin in many, and greatly reduced in amount where it is not entirely removed. The place of Latin is occupied by French; that of Greek, by English. There is, as may be expected in a new and not yet fully-developed institution, less similarity in the different 'real-schulen' than in the gymnasia; it is also to be observed, that it is less the object of the pupils of these schools to penetrate to the first class. But upon the whole, all these schools, whether public or private, are moulded upon the approved old plan of the gymnasia, and apply the same principles of method and organization to those subjects which are most necessary to a liberal education which is not collegiate.

Limited space forbids my entering more fully into this subject. I have drawn a rough but, I trust, a faithful sketch. I shall conclude by pointing out those particulars which might advantageously be adopted in this country.

The first requisite for an improvement in schools is an improvement in the teachers. This supposes, in the first place, improved facilities for their training to be provided by the universities; and, secondly, a compulsory examination of teachers to be enacted by the legislature. Examinations in schools cannot be made compulsory in England; but they would become very general if they were made optional, and a proper reward held out to the successful schools.

The examinations should be voluntary as regards schools, but compulsory as regards the scholars. They should extend not to the picked boys only, but to the whole of the boys of a certain age, or, still better, of a certain class. To effect this, it would be necessary that something of a similar organization should be introduced into the schools in union with the examining body; so that the pupils from all schools, if of the same age, might fairly be expected to answer the same questions. A necessary consequence would be, that one set of examination papers would be suitable only to one class of schools, and that there should be *two* or even *three* different examinations for so many different varieties of schools.

This done, the examiners should insist upon the questions being answered indiscriminately, no selection of subjects by the candidates being further permitted.

Vivâ voce examinations, though most essential, will be impossible until a staff of teachers very different from the present has been reared in the several localities.

Whether the University of Oxford, or that of Cambridge, or both universities combined, are calculated to carry such a great scheme to a successful issue, is a question of great uncertainty. They have begun the undertaking, and deserve praise for this.

If they should fail, the nation will have to step in, and will, through the Legislature and the Government, provide a suitable machinery for the improvement, through examinations and otherwise, of the Middle Schools of England.

Middle Class Elementary Education. By W. Knighton, LL.D., *Principal of Ewell College, Surrey.*

At the recent examination held by the University of Oxford, of those not members of the University, five-eighths of the candidates failed in satisfying the examiners. The great majority of the failures were in the more elementary branches of the examination. These facts prove that the state of middle class education is not what it ought to be. They prove that elementary subjects are not taught with efficiency and success in the great majority of our middle class schools, and that the pupils are not thoroughly grounded in those branches which are, to most of them, of primary importance. I propose, in this paper, briefly to examine the reason of this, and to endeavour to suggest a remedy.

Having had considerable experience in two of the largest training colleges under Government inspection, as lecturer on education and superintendent of the practising schools, I may be supposed to know something of the measures at present being carried out, under the direction of the Committee of Council on Education, for the improvement of national education in England. Many hundreds of students destined to conduct schools for the poorer classes, have been more or less directly trained for their future duties under my superintendence, and of these a very large majority are now actually conducting schools under Government inspection. In my present position, as principal of a middle class school, I have had some insight into the actual condition and working of such establishments; and my experience has been such, in this latter capacity, that any other result than that which has attended the Oxford examination would have surprised me.

I believe the education given in middle class schools generally is defective, for three reasons—firstly, want of skill in the teachers;

secondly, want of machinery and method in the schools; thirdly, the excessive influence of injudicious parents on the schools.

I. It is an old prejudice, almost exploded in as far as the education of the poor is concerned, that the possession of a certain amount of information necessarily implies the power of being able to teach it to others. Men are not now made village schoolmasters merely because they know how to read, to write, to work sums, and to repeat the Catechism. A certain amount of skill is expected in the management of classes; some determined method of conveying instruction on various subjects; and, generally, an initiatory course of training in the art of teaching is presupposed, before a number of pupils is committed to a master's care. This initiatory course is provided for in the Normal Training Colleges. There the student is not only well grounded in the branches of instruction which he will have subsequently to teach, but he is also practically trained in the art of communicating information to others. Lectures are given to him on the different systems of education which prevail, or which have prevailed, in various countries, or which have been elaborated by the patient investigations and persevering exertions of devoted men. Bad methods are held up to him for reprobation; good methods explained for his imitation and improvement. Those who lecture on the subject have made it their study, and, in the great majority of instances, are thoroughly well acquainted with the best known methods of imparting information to classes in schools, on particular subjects.

Nor is this all, although this is much. The elementary schoolmaster is further conducted into the practising school; a class is committed to his charge; he is required to teach it in the best way he can, and his errors and faults of method are kindly pointed out to him afterwards; whilst he is often practically shown, even in the course of the lesson itself, how the thing can be better done. He is invited also to watch others teaching, and to note their excellences or defects of method. Day by day he is thus directed, encouraged, admonished, taught—in a word, trained—to teach others efficiently. The training does not stop here, however. The Normal College has most probably its model school attached to it, in which the elementary schoolmaster sees what kind of teaching will be approved of by those capable of forming a judgment on the matter. In the model school he sees in combination what he has been taught in the practising school in detail.

By these various methods he is prepared, in the course of two years, for carrying on his school afterwards with some degree of efficiency. The lectures, the classes of the practising schools, the kindly criticisms, the working of the model school, have all left a deep impression on his mind. If he have naturally the tact necessary to interest the young, and if he enter upon his duties in the school with a determination to do his best, he becomes a thoroughly efficient teacher, and is a blessing to the village or neighbourhood in which he may be settled. But supposing that his natural capabilities, in the way of teaching, be limited—supposing that he does not enter upon his duties

either with zeal or interest, yet he knows that he will have to exhibit his school to the inspector, and this salutary check prevents indolence or apathy. The visit of the inspector, to which the diligent teacher looks forward with hope, is anticipated by the slothful man with fear. It is a salutary check on carelessness or indifference; and even the apathetic teacher endeavours to put the lessons he learned in the training college into practice as he thinks of it.

The middle class school enjoys none of these advantages. In too many instances, the possession of a degree is considered a sufficient guarantee that a man can teach efficiently; and yet that degree merely presupposes the possession of a certain amount of knowledge. As to whether a man possesses the power of communicating that knowledge to others, no inquiry is, in the majority of instances, made.

It must be quite evident that the trained man, who has gone through the discipline of the normal school, must be greatly superior, as an elementary teacher, to the untrained, whatever the attainments of the latter. It is in elementary teaching that method is of most service, and it was in elementary subjects especially that the failure in the recent Oxford examination took place. Surely there is here something like cause and effect.

II. The trained master, when he undertakes to teach a new school, expects a certain machinery to be provided for him, and is disappointed if he does not find it. He looks upon his school-room, and examines his apparatus with a critical eye. If the patrons of his school object to his requirements, his ready reply is, 'But they have these things in the model schools—you will see them all at the Training College, where they understand school-management—there you will be told we cannot do without them.' He may not, in the first instance, get what he wants in the way of apparatus, but he ultimately succeeds, if he is an efficient teacher; for the patrons of the school soon discover that he knows what he is about, and he has probably the powerful support of the inspector. Thus, in the elementary school, maps, desks, black-boards, slates, paper, pencils, pens, are all provided, of the proper description, and in sufficient abundance, whilst the trained teacher knows how to use them profitably when they are provided. The untrained teacher makes no such requirements. He works with what is provided for him, good or bad, and does not see that the machinery, after all, is of so much use. In the same way with books. At the Training College the student has been made acquainted with the best text-books on particular subjects, for particular classes, and how to use them. The untrained teacher thinks one book on the subject nearly as good as another; he is not particular either as to the books themselves, or as to the way in which they should be used. Is it any wonder, then, that his teaching is not efficient?

And here a word may be said of the use of 'Manuals,' 'Conversations,' 'Catechisms,' &c. Such books, in the hands of the skilful teacher, are by no means prejudicial to the interests of the school or of the scholars. It is only when they become the cloak of ignorance

that they are so. If a man professes to teach, by such Manuals, what he does not himself understand, they are useless—worse than useless—inasmuch as they waste time; but so would any other works on the same subjects, if used under similar circumstances. The skilful teacher will know how to combine oral instruction with the information obtained from the 'Manual' or 'Catechism,' and, when he has done so, he will know how to elicit, by judicious questioning, the information so given, from the pupils again.

Every teacher who has had any extended experience in the management of numbers of pupils, and who has given the subject his earnest attention, is aware how much depends upon the mere arrangement of classes, for convenience sake; how much time is saved by judicious classification; and how much by attention to the minor points of school-management. To the uninitiated all these are matters of perfect indifference. They cannot see that it makes any difference whether such trifles are attended to or not. Yet in truth the improvement of the pupils may be materially influenced by such attention. The skilful teacher is persuaded of the fact by the best of instructors—experience. The minds of the young he knows to be naturally indisposed to attention. The keeping of the faculty of attention fixed upon a single subject for half an hour together is an irksome thing to a high-spirited boy, full of life and energy and vigour. The merest trifle will call off the mind to think of other things than the given subject, and neither teacher nor pupil will find it easy to recall it and fix it again. Under such circumstances—and every one will allow the truth of this assertion—how can it be a matter of indifference whether the minor points of school-management are attended to or not? The very form of the class, the position of the boys, that of the teacher and his illustrations, or black-board for giving illustrations, the adjuncts of the scene—all are matters of importance, inasmuch as they tend to arrest or distract the pupil's attention, and all, to the untrained teacher, are matters of supreme indifference.

On the subject of the very slight attention paid to proper machinery in many middle class schools, I do not speak from conjecture or vague report, but from definite knowledge. Where the annual payment is so small as barely to suffice for the domestic necessities of the establishment, it cannot be anticipated that much attention will be paid or any considerable outlay incurred, to insure efficiency in teaching, by the possession of a proper apparatus and sufficient machinery. But I speak not of such establishments, but of those in which professions are made of superior attention to the educational department, and in which the payments are amply sufficient to provide such. In many of these, the condition and arrangement of the desks, the use of large maps in teaching geography and history, the carrying out of a regular and obligatory time-table, the non-interference of the purely domestic with the purely educational arrangements, are all looked upon as matters of little moment, requiring no attention on the part of the principal, and hardly worth—as one gentle-

man expressed it—'making a fuss about.' And here I must repeat that it is in elementary classes that these things are of most importance. The younger the children, the greater the necessity for attention to minor points. Boys more advanced in years will surmount many obstacles to study, if they have but a sufficient motive to induce them to work. Where the numbers are but small, the want of attention to these minor points will not, of course, cause so great an amount of evil as amongst large classes; but in all cases much labour must be thrown away, and much time lost, if the untrained or unskilful teacher has the management of a school, and still more if the machinery provided is defective in its nature, or unsuited to the purposes for which it is intended.

Not to weary the section with a multiplicity of general remarks, I will take a single subject, and contrast the efficient and non-efficient teaching of it, to a class, say, of twelve, fifteen, or twenty boys. There was no subject on which the failures were more numerous in the recent Oxford examination, or in the late Civil Service examinations, than orthography. The correct writing and spelling of English is difficult, from the extraordinary irregularity which our language presents. The best method of enabling children to overcome this difficulty has been found to be, not by making them learn columns of words by heart, but by causing them to write down sentences read aloud to them slowly and distinctly, a few words at a time. Their mistakes are, of course, subsequently pointed out to them and corrected, and, by frequent practice, they acquire at length the power of writing English words correctly. This exercise is called *Dictation.* In the Training Colleges, where education is studied as a science and an art, an endeavour is made to lay down rules for the giving of such lessons efficiently—determining, in a lesson of a given length, how much time should be devoted to writing, and how much to correction—laying down certain rules for the proper arrangement of the class, according to its size and stage of advancement—how the correction of the exercises is most speedily and most effectually to be accomplished—and, above all, how waste of time in the giving of the lesson is to be avoided. All these are matters which the unskilled teacher considers trivial or unimportant; he has probably never given a thought to them; and yet, in truth, the efficiency of the lesson very much depends upon such apparent trifles as these. If he has to examine every slate or exercise-book himself, before the lesson has concluded, what are the boys to be doing whilst he is engaged in this examination? If he takes them away, or puts them aside, and does not have them there and then examined and corrected, the lesson is of little use. If he takes up boy by boy to point out his errors, the others will be playing in the meantime, and the attention of the boy whose exercise is under examination and criticism will be called off by the fun which he knows his companions are enjoying in the meantime. Thus not only is there a sad waste of time, but even the errors themselves are as likely to be repeated on the very next occasion as not. The unskilled teacher goes on week after week in the

same unvaried round, equally profitless and uninteresting. He knows the boys get very little benefit from the lesson—that's not his fault, he will assure himself—it is the same everywhere. A few he must punish for boisterous merriment during the examination of the exercises, just to keep the others in order—certainly not his fault, he assures himself again. Much time is wasted in the examination, because the others have nothing to do whilst he is engaged with one. This he probably never thinks of, but were it suggested to him, he would tell you, it results from the necessity of the case—it cannot be avoided. But he is wrong in this, as in much else. It *can* be avoided. Every single evil I have pointed out in the giving of such a lesson can be avoided by a superior method—by attention to those very minor points which the skilled teacher has learned for himself to be of so much importance, but which the unskilful teacher regards as of no importance whatever. It is not necessary that I should here enter fully into the proper method of giving such a lesson; suffice it to say, that it may be so given as to obviate every evil I have pointed out—so given as to ensure the attention of all, loss of time to none, and certain improvement to every member of the class. I have taken up the subject of Dictation simply as an example; but the same or similar remarks would apply to every branch of elementary instruction, as given by the skilful and the unskilful teacher. It is not necessary, of course, that a man should be trained in a Training College, in order to teach efficiently; he may train himself in his own school, at the expense of his scholars, in the first instance; but it is not one man in twenty who will have the energy and the ability to do this with efficiency and success. The proprietor of the private school has, of course, the strongest motives to induce him to put forth all his powers to this end; but the assistant in the private school has no such motives to exertion.

One great advantage which the public school has over the private is simply this, that in the former the parents have little or no influence, in the latter they have very considerable influence. Few parents have studied the subject of education, or are sufficiently acquainted with it to understand the government of a school, and the necessity for strict discipline in its management. Every punishment inflicted on a boy for breach of discipline appears to him to be a hardship, if not a cruelty; and unless the parent into whose sympathising ear he pours his complaint on the subject has himself been subjected to proper discipline in youth, he probably agrees with his son, whilst in the great majority of instances the mother is a warm partizan from the first on the same side. Hence one great difficulty in the attainment of proper discipline in the private school. Until a man feels himself so firmly settled in his position as principal that he has nothing to fear from the effects of private pique or the injudicious resentment of individuals, he must attach far more importance to every such complaint than he would do if he were at the head of a public establishment, and independent of private favour.

Powerful as is the influence exercised in this way by injudicious

parents upon middle class schools, and prejudicial as it is, the influence exercised upon the studies of the pupils is often still more pernicious. In the first place, it is taken for granted that every boy sent to school shall be able to read well, to write well, to work with facility the ordinary rules of arithmetic, and shall acquire all that necessary information about geography, which one requires in order to take his part creditably in common conversation. I would emphatically state that it is of injudicious parents only that I speak, when I argue a pernicious influence exercised by them on the school. That their sons will acquire these elementary branches efficiently they take for granted. The word education, in their minds, is something that pertains to quite other matters than those. Reading, writing, arithmetic, and geography are 'vulgar' branches — they must be acquired, it is true, but they do not send their boys to school to acquire those things. Even a knowledge of English itself, however profound, is a secondary object with them. They have no respect for the English scholar, because they have no idea of the amount of study necessary to perfect him. When they talk to the teacher of their boy's education, it is of French and German, of Latin and Greek, of drawing and music perhaps, that they speak. Ornamental writing will go further with the injudicious father and mother than a sound knowledge of English grammar, and the recitation of poetry is thought more of than arithmetical knowledge. All this reacts most perniciously upon the private school. Even the very class-books in use in the school are influenced by these foolish prejudices.

I shall conclude with a very few suggestions by way of remedy. That the Oxford examinations will give a great impetus to middle class education, and open the eyes of many teachers to their responsibilities and duties, can hardly be doubted. Large schools cannot now drag on a lethargic existence, in which the question is not how much, but how little can be done. A spirit of emulation has been aroused, which will do much for the upper classes in all these establishments. It must not be supposed, however, that this measure will be fraught with unmixed good. As it is only a few from each school that will be likely to present themselves at the Oxford examinations, there is great danger of too much attention being devoted to those few, and too little to the others. There is great danger that the elementary classes will be still more neglected in order that more attention may be devoted to those about presenting themselves for the certificate or title. This is by no means an imaginary evil. Those that are most intimately acquainted with middle class schools are those who feel most convinced of the reality of this danger, and it behoves the governing body who have called these examinations into being, to weigh well the probable result.

So far as the inefficient teaching of the elementary classes in middle class schools is concerned, therefore, the Oxford examinations will by no means provide a remedy. Those sent up for examination may not fail so generally in elementary subjects, because, in their

cases, more attention may be given to them; but the elementary classes generally will certainly not be better attended to, or better taught, in consequence of those examinations; rather the reverse, as it appears to most men, who have attentively considered the subject. There is here, then, if this reasoning be correct, no remedy for the present inefficiency. We must seek a remedy elsewhere. That which would most effectually meet the difficulty would probably be the establishment of normal training colleges, in connexion with the universities; the addition in fact of a faculty of education to those faculties already constituting the universities. And this will probably be the ultimate remedy. The more the subject is studied, the more imperative will it appear to be, that all who take the management of large classes shall be trained to do so efficiently—that, as divinity, law, and medicine, are to be carefully and effectually studied by those who are afterwards to be entrusted with the conduct of those branches as professions, so education, a subject vast and difficult as any of them, and certainly not inferior to law or medicine in the advantages which it confers upon mankind, shall have its professors and its students, its recognised practitioners, and its established canons.

To this result we are now tending. Towards this end a variety of circumstances is gradually conducting us. Men will ask themselves soon, shall the poor only have regularly trained men as teachers? shall the poor only have all the benefit arising from careful study of the subject, both theoretical and practical, in those who practise education? If the mere possession of sufficient learning is not considered sufficient in the case of the teachers in parish and national schools, why should it be thought enough in the case of teachers for the middle and upper classes? When such questions as these are more generally asked, a movement will speedily follow, in the proper direction—a movement which must end in the universities taking up the subject, or else losing a large proportion of their students.

But, in the meantime, something may be done. It surely would be quite possible for a registry of duly qualified schoolmasters and assistants to be opened, affording some guarantee for a certain amount of skill in the communication of knowledge, and in the conduct of large classes. The possession of the requisite learning might be otherwise certified, by degrees, by certificates, by the attestation of friends. The registry of which I speak might be confined exclusively to those who had satisfied an examining body that they had paid attention to method and system, as branches of the science of education—that they were not rushing blindly on the practice of one of the most important and responsible of professions without having paid some little attention to its rudiments. Assistants pay largely at present to agency houses in order to have their names enrolled, and their qualifications stated, in printed lists, issued monthly for the most part. They would, doubtless, willingly pay similar fees to have their names placed in such a registry as I propose, which would afford a much surer guarantee of ultimate success in obtaining a situation than the lists of private houses. Who should constitute the exami-

ness; how often in the year the registries should be open, and the examiners be prepared to test the proficiency of the candidates; where the registries should be kept; and what publicity should be given to them, or how the lists are to be circulated amongst the profession; all these are matters of detail that I cannot enter upon now. This, however, I feel assured of, that with the abundant machinery at present in existence in England, in the way of societies, associations, colleges, and clubs, there ought to be no real difficulty in supplying a want felt by every member of the scholastic profession, who has to hire assistants in middle-class schools.

In conclusion, permit me to suggest that it would probably be for the great advantage of education generally in England, if the 'National Association for the Promotion of Social Science' would take this matter in hand, and seek the co-operation and assistance of the scholastic body generally in carrying it out.

Statistics of the Liverpool Collegiate Institution. By the Rev. J. S. Howson, M.A., *Principal of the Institution.*

LAST year a paper was read before this section by Mr. Giffard, on the statistics of King Edward's School at Birmingham. I have thought that this year a similar paper, furnishing the statistics of the schools which in some respects occupy a similar position in Liverpool, might not be unwelcome.

In certain respects, indeed, there is a difference between the organization of those schools which are under the superintendence of Mr. Giffard, and the organization of those with which I am connected here. The English School at Birmingham is not, I think, separated from the Classical School by quite so sharp a line as that which divides our Middle School from the Upper. The third grade in Birmingham is represented by eight diffused schools in various parts of the town: here by one school, the Lower School, in the same range of buildings with the Middle and the Upper. And those diffused schools are, as Mr. Giffard informs me, simply of the character of excellent National Schools; whereas our Lower School is of higher pretensions, and approaches more nearly to the Middle School. Moreover, four of those eight schools are elementary schools for girls, whereas the arrangements of the Liverpool Collegiate Institution are strictly limited to boys.*

There are other differences still more important between King Edward's School and the Collegiate Schools. That dates from a remote

* No notice is taken in this paper of the Evening Classes and the School of Art connected with the Collegiate Institution. The former have no connection with the Day Schools. The latter extends its advantages to all the Drawing Classes in the Institution, besides operations in the town at large.

period of English history; these from the year 1843. There the endowments are very large; here (except some Exhibitions and Scholarships) we have nothing but what proceeds from the fees of the pupils. There, in all the schools, the education is free; here it is paid for, at the rate of 22 guineas in the Upper School, 11 in the Middle, and 4½ in the Lower. These differences, however, might be used as an argument on the present occasion for claiming all the more interest in the Collegiate Institution. It is a modern foundation, established in the midst of modern difficulties, and to meet a modern want. The Colleges of Marlborough, Cheltenham, and Rossall were opened almost exactly at the same time; and as regards its Upper School, this Institution is parallel to those colleges: but in its Middle and Lower Schools it provides religious education for two social grades, which lie between the higher ranks of English society on the one hand, and those who send their children to National Schools on the other. The three Schools are quite distinct, with the exception of a narrow and carefully watched stream of promotion, which admits of a maximum of six boys in the Upper School advanced from the Middle, and six in the Middle advanced from the Lower. I think it would be an advantage to Liverpool if some of the fountains of this stream could be opened a little lower—I mean in the various National Schools of the town. Something of this kind has been done, and with good results; and I hope more will be done hereafter, now that the higher machinery is organized. The whole cost of the Collegiate Institution was about 35,000*l.*, contributed by free donations; the greater part paid at the time of the erection of the building, the remainder more recently. The size and progress of the Schools are shown in the following table, which gives the average numbers of each School, as well as the average total for each complete year since the opening:—

	1843.	1844.	1845.	1846.	1847.	1848.	1849.	1850.	1851.	1852.	1853.	1854.	1855.	1856.	1857.
Upper..	59	97	97	102	90	89	101	109	107	99	98	101	120	137	141
Middle	240	275	239	231	163	162	166	176	195	216	243	254	228	229	253
Lower..	208	348	369	315	265	274	294	324	319	321	349	315	318	323	333
Total...	507	720	705	648	518	525	561	609	621	636	690	670	666	689	727

The whole number of those who have passed through the Institution is now about 5500. It is enough, probably, to treat the general statistics thus briefly. The questions of interest which suggest themselves when we look into the subject a little more closely, are such as these:—How is the religious difficulty dealt with here, and with what results? Over what range of the whole social area, if I may so express it, does the education of the three Schools severally extend? In what sense can it be said that the boys sent out from the Schools to business are really educated? To what point of defective education is it desirable that the attention of the general public should be invited? And how are such defects to be remedied?

The constitution of those Schools as regards Religion will be most properly stated in the words of the original Prospectus and Regulations. It is said in this document (1) 'that the design of the Institution is to provide for the inhabitants of Liverpool an education suited to their wants, upon the most moderate terms, and at the same time to maintain indissolubly the connexion between sound religion and useful learning:' (2), that for this purpose—'instruction in the doctrines and duties of Christianity, as taught by the united Church of England and Ireland, shall be for ever communicated, in combination with literary, scientific, and commercial information:' (3), with a view to the permanence of the Institution on this basis, 'all the officers, professors, and masters (except the teachers of foreign languages) shall be members of the Established Church:' (4), that 'the exercises of each school shall be commenced and terminated with prayer, at which the attendance of every pupil will be required; and the reading and exposition of the Holy Scriptures will form a portion of the daily business of the schools:' and (5) that 'no distinction shall be made in the admission of pupils, and that only the children of members of the Church of England shall be required to learn the Church Catechism.' I think it would be a waste of time to give an account of the discussions which preceded the establishment of the Schools on this basis. I may just say this, that the test which was at one time contemplated—viz., that all officially connected with the Institution should be 'orthodox Trinitarian Protestants, in communion with or friendly to the Established Church'—would, in my opinion, have been suspicious and controversial on the one hand, and dangerously vague on the other; and that large schools founded on such a basis would not have been thoroughly and permanently successful. Doubts of this kind having been expressed at the outset, the matter was referred to the clergy, forty-seven of whom met and discussed the subject, and, with five dissentients, passed the following resolution:—'That the principles upon which the Clergy can consistently join the proposed Institution are that it must be conducted by a committee formed of members of the Established Church, but that there should be a dispensing power with regard to the children of Dissenters being required to learn the Church Catechism.' The spirit of this resolution was accepted, and embodied, as has been shown, in the regulations.

The question will be asked—How does this constitution practically work? To this I answer in the first place by giving some statistics. I have not instituted any inquiry, with this meeting in view, into the relative number of Church boys and Nonconformist boys in the Schools; but on two previous occasions I made the investigation for my own satisfaction—once in the Middle and Lower Schools in the early part of 1853, and once in all the three Schools in the early part of 1855. The following are the results. I will not guarantee the absolute accuracy of every figure, but I am sure the tables give a fair sample of the ordinary religious statistics of the Institution:—

March, 1853.	Middle.		Lower.	
Church of England	...	194	...	268
Wesleyans	8		50	
Presbyterians	9		18	
Independents	4		0	
Baptists	9		6	
Unitarians	2		5	
Roman Catholics	1		0	
Various	5		3	
Total Dissenters	...	38	...	82
Total		232	...	350

March, 1855.	Upper.		Middle.		Lower.	
Church of England	...	104	...	175	...	211
Wesleyans	1		19		36	
Presbyterians	2		7		12	
Independents	1		11		6	
Baptists	4		14		4	
Unitarians	1		1		4	
Roman Catholics	0		0		1	
Various	2		5		26	
Total Dissenters	...	11	...	57	...	89
Total	...	115	...	232	...	300

We notice in these tables that the proportion of Nonconformist boys increases as we descend in the social scale. The percentage respectively is about 10, 20, and 30. This is not to be attributed to any greater reluctance on the part of Dissenters of the higher ranks to send their boys to a Church of England school, but simply to this fact, that the proportion of general Nonconformist population increases as we descend, till we reach the edge of the poorest classes, when (I speak of England without including Wales) it diminishes again. In these particular Schools we do not reach so low as the point where the numbers of the Church of England begin proportionally to increase.

But a further answer to the question may be furnished by my own experience of about ten years. A good deal in matters of this kind depends on the accident of the neighbourhood of a school. The attendance of Nonconformists is in some cases a question of local proximity rather than of religion. I could show this in a map, in which, if the home of each boy were marked, there would be a dark stain all round the Collegiate Institution, while scattered spots would appear sparsely in the more distant places. It is also undoubtedly true that there is a good deal of laxity, as regards religion, among some of the parents; and that the prospect of worldly advantage is too often

regarded as paramount over everything else. But it is also true that many serious-minded Dissenters, and strong Dissenters too, would rather send their children to a Church of England school than to a secular school. Besides this, it must be remembered that many Dissenters are by no means strong Dissenters, and that of the two parents of a boy one may think very differently from the other. All these circumstances have weight in settling a question of this kind. As to the practical adjustment of each individual case, it is the subject of a friendly understanding between the parent and the master, and settled quietly and yet honestly. The number of those who are formally exempted under the rule is very much smaller than the number of Dissenters as shown in the tables; and I do not remember any case where dispute or discomfort has been involved. I am convinced that the religious difficulty will usually give way under the action of good temper and good sense, and that large numbers of Nonconformists may be educated, with perfect satisfaction to their parents, and without any sacrifice of principle on the part of the masters, in Church of England schools, constituted like the Institution which I am describing.

I come now to the social statistics. Clearly every grouping of professions and trades must be in some degree arbitrary, but the Secretary of the Institution, to whom I am indebted for most of these tables, has endeavoured to deal with the matter as fairly as possible in the following list, which is drawn up for the first quarter of the present year, and may be confidently taken as a picture of the relative occupations and stations of the parents of the boys in the three Schools, from the time of their being opened in 1843.

	Upper.	Middle.	Lower.
Bankers, Merchants, Ship-owners, &c.	47	38	9
Clergymen	22	6	2
Dissenting Ministers	0	1	0
Physicians and Surgeons	12	11	4
Manufacturers	10	15	5
Lawyers	7	2	1
Brokers, Agents, &c.	7	9	21
Gentlemen and Professional Men	14	20	6
Widows	5	25	22
Architects, Builders, Surveyors, &c.	2	7	1
Officers in Excise and Customs, Registrars, &c.	7	8	9
Book-keepers and Cashiers	3	21	34
Farmers	0	4	8
Estate Agents and Accountants	0	8	4
Millers, Corn and Flour Dealers	0	2	9
Contractors and Stevedores	0	6	2
Hotel Keepers and Licensed Victuallers	1	9	13
Tradesmen	0	51	111
Master Mariners and Pilots	0	9	18
Car and Cart-owners	0	3	3
Miscellaneous	0	3	22
Mechanics and Domestics	0	1	26
Promoted Boys	6	2	0
	143	260	330

It is obvious that the majority of the boys who come to us from these various sources are destined for Business. I may, however, say a word in the first place of those who have gone to the Universities. Reckoning up the whole number of those who have been sent to College since these Schools were opened, with the exception of a few, who, having been elsewhere at the end of their school course, cannot fairly be claimed, I find that the following table will represent the facts up to the close of 1857 :—

	Graduates.	Undergraduates.
Cambridge	21	8
Oxford	11	4
Durham	2	0
Dublin	3	1
Total	50	

which, divided by the number of years elapsed since the first pupils went to College, gives an average of about four a year. This average seems to be increasing. This year we are sending five, next year we shall probably send seven.

Following the example of Mr. Giffard, I may briefly state the University honours which have been won up to this time, omitting the College honours and scholarships, which are numerous. Two have obtained fellowships at Oxford, two at Cambridge (both of Trinity), one at Durham. First-class honours have been obtained three times at Oxford, five times at Cambridge, twice at Durham. The University prizes have been, two theological Essays, one Arnold History Prize, one Newdigate for English verse at Oxford; one Whewell Medal for Moral Philosophy, and one Smith's Prize for Mathematics at Cambridge; one Van Mildert Scholarship and one Hebrew Prize at Durham. Perhaps it would be fair to add, as on nearly the same level with some of those University distinctions, two successes in open competition at Woolwich.

But, important as is this kind of connection with the Universities to a group of schools containing boys from very various ranks of life, the chief point of interest in this paper has regard to those who are educated for Business. This is a vague term; and it must be differently interpreted in reference to the Upper, Middle and Lower Schools respectively. It includes the merchant, the architect, and the lawyer on the one hand, and the retail dealer, the junior clerk, and the mechanic on the other. It embraces all, in fact, who do not go to College. With the view of showing the real educational facts of this preparation for business, so far as the Collegiate Schools are concerned, the following statement has been prepared for the years 1856 and 1857, showing the actual number who have gone to business from the three Schools severally, the average age at which they have gone, their average stay at school, and the classes from which they have been taken :—

	Upper.	Middle.	Lower.
Total No.	47	121	124
	Years.	Years.	Years.
Average Age	16½	15	14⅞
Average Stay	3	2⅞	2¾

In showing the classes in the school from which these boys have come, it may be convenient to notice that the Upper School has an arrangement of parallel classes, according as the boys receive what may be called a Classical or a Modern education. The classes then stand thus:—

	Upper.		Middle.		Lower.
Class i.	2	i.	31	i.	27
,, ii.	4	ii.	31	ii.	23
,, iii.	2	iii.	30	iii.	30
Mod. iii.	20	iv.	17	iv.	16
Class iv.	1	v.	5	v.	11
Mod. iv.	14	vi.	3	vi.	10
Class v.	2	vii.	3	vii.	7
Mod. v.	2	viii.	1	viii.	0
,, vi.	0		—	ix.	0
,, vii.	0		121		—
,, viii.	0				124
	47				

In commenting on these facts, the first point which invites attention is the average age of each of these groups of boys on leaving school. Here is the perpetual battle-ground of the men of business and the schoolmaster. The latter says, and says truly, that the interval between fourteen and eighteen is precisely the time of effectual improvement, precisely the time when previous teaching and training begin to tell on the mind and the character. The former says, and no doubt he speaks from experience, that the earlier part of the interval is the best time for breaking a youth in to the routine of commercial life. My own opinion is that the age in each of the three schools is too low. I firmly believe that if a youth is to deal with commerce on a large scale, with the probability of important social and political responsibilities, it will be far better for him and for the country that he should stay at school till eighteen, than that he should leave it at sixteen,—and that if he is to be a shopkeeper, he is more likely to be a good and intelligent citizen, and none the less likely to be a shrewd and successful tradesman, by continuing his school training till sixteen, instead of cutting it short at fourteen. This is my opinion, and I believe the best-educated parents agree with me. However, I state the view frankly, and would wish it to be thoroughly discussed. No doubt some cases occur, in a struggling community like this, where boys are forced to leave school sooner than their parents would wish: these cases, of course, I admit to be exceptional.

Whatever views may be held regarding the time when a boy ought to leave school and go to Business, there will probably be no difference of opinion that the period at school, as shown in the above tables, represents an inadequate education. This becomes the more marked when I state that the average stay of those who were sent to College in the years 1856 and 1857 was $6\frac{1}{2}$ years. Contrasted with this we find, in the case of those who went to Business, only 3, $2\frac{5}{8}$ and $2\frac{3}{4}$. It is impossible that an efficient education for any employment can be given in so short a time. No doubt it will occur to every one that

one reason why the average stay is so short is that many of the boys have been at other schools before; and this is precisely the point to which I wish to invite attention. It is often better that a boy should be left for a long time at an indifferent school than be tossed about in search of a better. It is strange to see how some parents will try experiments on their children, and never find out, till too late, what harm has been done; and, if it were not so serious a matter, it would be ludicrous to notice the credulity with which some people believe that a boy, who has never been taught anything well, can be 'finished,' as it is called, in half a year or a year. We always find that those who do the best with us are those who come the youngest; we have tried the experiment more than once by offering rewards to the best under certain ages; and, if a schoolmaster feels pain at the premature removal of boys, he may fairly claim to be heard, when he urges their being sent to school—not at such an age as would involve the over-straining of physical and mental powers—this is the worst of all evils—but at an age which would give some hope of their subsequent education being solid and good.

Here it seems desirable to say something on the mode in which the new University examination schemes are acting, and are likely to act, on these particular schools. On the highest part of the Upper School they will not act directly at all. The senior pupils have other competitions in view, viz., those for the University exhibitions, of which we have one vacant every year. But on two other points of the Upper School, viz., on the second grade of the pupils in the Classical division, and on the highest grade of those in the Modern, the senior examination is beginning to act forcibly and beneficially; and so is the junior examination acting with excellent results on the highest points of the Middle and Lower Schools. Assuming that the respective limits of age for the seniors and juniors will be fixed at eighteen and sixteen, I expect that the range of education for business will be gradually raised towards the former limit in the Upper School, and towards the latter in the Lower, while the Middle School may direct its aims towards the one or the other, according to the ages and expectations of individual boys.

And, in a great measure, the action of those examination schemes is irrespective of gradations of social rank. The varieties, in this respect, among those who were examined here at Midsummer and those who will be examined here at Christmas, are very great. And here I feel constrained to deprecate that vulgar sensitiveness that takes alarm at the term 'middle class,' which, by the way, has been only adopted for convenience, and has not been sanctioned by the Universities. The Universities themselves are open to all. From their old examinations the peer's son and the shopkeeper's son reap common benefits. And so are these new examinations open to all who are not members of the Universities; and herein, I conceive, is one of their highest advantages.

Two remarks more, and I have done.

These examinations are not so acting with us as to promote the

mere cramming and stimulating of clever boys, but they are acting on large masses of boys, many of whom will never enter the competition at all. I do not deny that these competitions do in some instances present a certain degree of temptation. In the case of private tuition, the very purpose is to bring up individual boys to a high point of excellence: and some masters of schools may be enticed to neglect the many for the sake of the one. But in a large school there are many things which make this inconvenient; and in the long run the public will notice what schools attain, with occasional first class honours, a fair average of second and third class honours.

My other remark is this, that while the Oxford scheme, which precluded proficiency in Divinity from receiving honourable distinction, required attention and vigilance on the part of the master, lest religious lessons should be comparatively neglected,—the Cambridge scheme, which does reward Sacred knowledge inordinately with Secular knowledge, is giving new life to the religious lessons, and, in my opinion, promoting the highest interests of the boys, steadily and safely. I feel it a duty to lose no opportunity of inviting attention to this difference. Boys do not value what is not palpably rewarded. I know, indeed, that both Universities are equally anxious for the progress of Christian education; but I think that Oxford, in this part of its programme, has been legislating for the thoughtfulness of twenty-three, rather than for the impulsiveness of sixteen or eighteen—and that to remove reward out of the sphere of religion may be safe for those whose characters are formed, but is hardly in harmony with the rough-and-ready logic of a schoolboy.

PAPERS ON THE EDUCATION OF THE WORKING CLASSES.

The Prize System in Education. By the Rev. D. Melville.

ONE of three eminent men, who had been at school and college together, happened, not long ago, to raise the question among themselves, what it was which really had moved them to study throughout their educational career? One of them—the one who had been most successful, clearing very nearly the whole academic field of what it had most honourable to offer—answered at once 'The Prizes!' He admitted he had not worked for the work's sake, but always for the definite object. When this was repeated to me by one of the parties it brought vividly before my mind the fact that the whole educational system in this country is for the upper classes quickened throughout

by such incentives, the whole of the lower left without them. That is to say, we apply them in fact in exactly inverse proportion to their requirement. Where the pursuit of learning meets with few obstacles, and we might look for an estimation of it for its own sake, they abound; where the sense of the value of knowledge is less or nil, and the conflicting forces incalculably more, they do not exist.

I do not mean that in higher education every parent has in his eye a definite proximate object for which the schoolboy works, but that, whilst there is very much even of this, the great objects of real life operate with a prize-influence on education, by standing, and being well understood to stand, in a closer relation to it among the upper classes; and the whole system of education in all our large seminaries of learning subserves this influence. Whilst the relationship between the school and the life pursuit is not so close and direct among the lower orders, the faculty to discern such relationship as there is, is necessarily less, and our educational systems do very little to illustrate that relationship or improve the sense of it.

In presuming, then, to open again this question generally, I find my justification in this, that though much has been said, and excellently said, upon it by many men, especially by Mr. Horace Mann in a well-developed scheme, Mr. Tremenheere, Mr. Norris, and others abler and wiser in such things than myself, nobody that I have seen, though the above thinkers and workers touch on it, and with great force as far as they do so, has exactly claimed, on its deeper and firmer grounds, a motive principle for lower education, which is so freely, and deliberately, and systematically recognised in the higher. This is what I would seek now to advance. I know that in matters tentative and experimental, practice and experience must be the solution of doubts and the attraction of confidence—and we are not without such kind of proof; but where there is a right reason to be advanced for an experiment made it should not be withheld, or such withholding may be to its prejudice. Now, I know nothing on which so much non or mis-understanding exists as on the real scope, meaning, and intent of a prize system. Schemes under it have been advocated, and therefore received, as a sort of chance experiment, worth while making, perhaps, under a sort of despair, but scarce more; hence they get an unfair consideration and a precarious support. Except by a wiser few, any aid lent them is lent rather to him who advocates them than to themselves for their own inherent worth's sake; I find persons will give their money and their presence at a prize scheme meeting without in the least understanding its object, and even misrepresent it when they rise to advocate it.

'*Solvitur ambulando*' may, at least where I speak as unto wise men, be taken out of its modern and more practical rendering, of leaving a thing to prove and approve itself by its work if it can, into its older and more philosophic one of the solving effect of calm inquiry and deliberate thought.

We, who by our very title claim to be scientific in such matters, need not to be content with mere empiricism.

First, I would beg to make one or two general remarks, bearing, however, directly on this question.

As we have not yet arrived, nor, happily, seem soon likely to arrive, at a merely State-manufactured education—the correlative of which must be a legally enforced attendance—it were well to remember that to induce and fortify the influences which partake more of the voluntary or moral character is wisdom, rather than to fix more firmly, and extend more definitely, the external and mechanical. If we could, I suppose we should, having secured the fitness of school and teacher, leave all the rest to parents and children. Not to provide exactly but to provoke education were the healthiest, best condition. There is, doubtless, much reason to be given why lower education is working so fast the other way, but it is a condition not for that to be overlooked, and which, if possible, should be counteracted. Nature would seem to restore and repair always after the original type; and if our social and political system be at all wisely conceived, to aid and evoke, not supersede, responsibility in any case, were to work according to its pattern, and to the promotion of that spirit which has been truly called 'the salt of all English public life, and the key-note of all social science.'

Again, what exactly was the conclusion which must be arrived at, though it was not precisely drawn, from the facts and expositions made at the Educational Conference in June, 1857? Why, that whatever may have caused or induced it, the lower orders were suffering, with regard to this matter of education, under a loss of appetite. And I think, if we steadily contemplate this condition of the patient in the first place, with what it naturally entails of remedial treatment, we shall be more likely to be right in our restorative process.

For instance, we should not, perhaps, hear, as we often have heard —from high authority, too—that to supply good schools and sound teachers was the remedy for, as the want of them was the cause of, the disease. As a matter of fact, as all know who really inform themselves on the working of lower schools, the quality is far ahead of its general appreciation, whilst this doctrine presumes just the reverse. A palate which nauseates its food has not its tone restored by the sight of a rich banquet; and though the way its food is dressed and served has much to do with restoring a feeble appetite, mental or bodily, you cannot thereby quicken the dead, or transform the vitiated. 'He that would sell his hats,' said a smart leader the day after the educational conference, endorsing the above position, 'must supply a good article.' True, of course, even to a truism, where hats are wished for; but what exquisite product of Messrs. Lincoln and Bennett, even gratuitously conferred, would make this true where hats are a burden, or an abomination—as to some Eastern sects?—and this state of things, and not the ordinary course of supply and demand under the assumed existence of both, is the true analogy in the case in point.

In order then that we may supply to lower education, which from

the nature of the case only the more requires it, an incentive or stimulant, which is in this country, directly or indirectly, the very life-blood of the higher—also, that we may in this department of social science seek to re-introduce that element of personal interest, and felt responsibility which always has been in this country the electric fluid to the connecting wires of political and social existence, without which you may have a vast and symmetrical organization, but not that personal intelligence and consciousness which give to symmetry of form its living interest—also, that, like true physicians, we may, after a thorough diagnosis of the case, apply the kind of remedy which the clearest perception of the malady, and the simplest expression of its cause would seem obviously to suggest,—I once more claim attention to 'a prize scheme as an element of national education.'

These, perhaps, sound rather grand terms to underpin a superstructure so partial and precarious as the present prize scheme experiments, but I would have a systematic and general system, not partial and precarious experiments. More, however, is now being done than is generally known; only what is being done lies under these disadvantages: if it is not unstable, it is poor; and if it is not poor, it is unstable. Either attraction or confidence—one or the other—is deficient. Over and above the petty and totally insufficient prize influences, which all schools more or less have within themselves, there are capitation grants, certificate and registration schemes, and that plan for merit cards of Mr. Tremenheere, answering pretty much to the pass testamurs at our universities, which are all recognitions of a prize system minus the prize—honorary tokens to an order of society that especially claims substantial rewards; besides these there are, as Mr. Tremenheere brings before us in his late report, nineteen prize schemes resting on voluntary and local efforts, and two more in the course of formation, wherein the premiums are more or less of positive and tangible value. The proposition of Mr. Horace Mann, however, comes nearer what would be a prize system worthy of the name. In a pamphlet published last year he computes that in the Excise, Postal, and other services, there are 700 or 800 offices varying from 50*l.* to 100*l.* per annum, which might be thrown open to competition, with great advantage to the public service; and though, of course, a schoolboy is not qualified to hold one of these, yet how the prospect of their possible attainment would act back, on that interval between schooltime and manhood, when often all school advantage is lost in a most pernicious experience. Suppose, too, the often utterly useless charities* in England were devoted, as happily I have been able to apply a small charity of which I was visitor, as rector of the parish, and which had been in abeyance for 150 years, the income furnishing apprenticeships, for which any convenient area of neighbouring

* I will not say only small charities, as Mr. Hare advocated. If that noble endowment in Herefordshire, known as Jarvis's Charity, now confined to three parishes with a united population of 1200, were freely and fully, instead of as now only partially and hesitatingly, directed to such ends, it might do much of the education and the whole of the stimulus for a county much in need thereof.

parishes might compete at fixed periods, and on settled conditions of conduct, age, and duration of school attendance. Thus in the earlier and later periods of lower social life a something corresponding to the school stimulants and life-prizes of the upper strata would be supplied, and if the intermediate and most important period just after school were influenced by a prize like a money premium of 5*l.* for proficiency in certain definite and set subjects,* what had been learnt at the day-school might be confirmed in more advanced years at the evening-school, and the knowledge and habits acquired be really valuable towards the purposes and experience of life.

Such a system, though it looks elaborate, would not be difficult to work. Each diocese, archdeaconry, or district would have its board, to whom appointments might be referred, and if the place or office has ordinarily been made a political matter from the Minister through the member to the voter, with (whatever may be said of its nuisance to the patron) a regard that justified the description of gratitude having an eye to favours to come, let the nominations still pass through the same channel, and raise the M.P. from a passive and active political partisan to a felt cultivator of popular education.

The experiments, however, which have lately sprung up, and are still, I am glad to say, multiplying, will, after all, be necessary, and at present are our only realities of a prize system for lower education; and I would add a few words as to what they seek to promote, and how they should seek to promote it.

We need not make any distinction between urban and rural schools, agricultural or mining districts, in considering the end, object, and mode of any prize scheme. The degree in which such scheme will be embraced and succeed at first will vary according to the locality to which it is applied: towns showing more appreciation of it than country districts, just as country folk are more shy of, and stare longer at anything unusual than those whose intelligence is quickened by contact with variety; but that is all. Where the intelligence is less, and the conflicting influences stronger, of course its growth and adoption will be slower. But in shaping any scheme, the evils to be met, and the end to be attained, which in all districts are the same really in kind, are of primary regard.

The evils, stated summarily, are indifference to education in parents, children, and the general public, and, which is often overlooked, the consequent depression to those engaged in teaching, who, from the nature of their pursuit, and want of relief to its absorption and arduousness, especially need countenance and encouragement. Therefore this stimulant should be devised to quicken the appetite of parents and children, the interest of the public, and the exertions of the instructor. But perhaps we should look a little deeper, even at the expense of the mere repetition of trite truths. Want of education, and absolute want, or want of the means of subsistence, in the

* This important prize was, I think, originally suggested by the Rev. J. P. Norris, and exists in some prize schemes—as in that with which I am connected in Worcestershire.

parent class, and the way early employment meets partially the one, viz., absolute want, and the temptation to which early employment is not counteracted, owing to the other, viz., want of education—these are the main causes, helped, of course, by the exactions, for the sake of trade and its returns, of the employing class, some of whom have not learnt better, even by the right judgment and true heart in this particular, which the names of Akroyd, Chaucer, Bagnall, Winfield, and others bid us remember. It is hopeless, then, as some hold, to appeal to mere intelligence in the case of parents, or anything like a public opinion, to set things as they ought to be, and so prizes, to act on them, must have a direct and tangible value. Still, though the act of striving and the mere energy of pursuit would in a young mind occupy a great place, and keep down the more gross and material motive, it would be well to associate with the tangible prize the more honourable incentives, and to record success in something that less appeals to lower influences. Books of worth combine all attractions—a badge of distinction more eminently, only the higher. But to meet efficiently the case, something smaller and more in detail has to be regarded in any scheme. It is not only that children should evidence a certain proficiency, but that all, not merely the brightest and most gifted, should come, if possible, under its application, and be retained under tuition by its influence. I do not mean that any prize scheme can satisfy the demands of those who, assuming that somehow dulness and goodness are more often in combination than intelligence and right conduct, would require that the last should win —*detur ultimo*, not *optimo ;* but still as wide and large an effect as possible should be given to its operation. Duration of schooling as well as proficiency of attainment should be estimated. It were obstructive of the end desired if a boy could at an early age by forwardness gain everything and leave nothing further to try for, for we do not seek so much premature knowledge as the security and permanence of the habits and information which the prolonged pursuit of knowledge entails. With all it would be well if, whilst general proficiency was made the basis and ground of general reward —as fairer and sounder in itself—special proficiency was yet marked by some favourable token, whilst in the execution of such scheme simplicity as to its working is very desirable.

Hence we get these desiderata for any prize scheme adapted to present wants and requirements :—

1. Something strong enough to stimulate parents through its positive worth.

2. Something honourable enough to fix the gaze of the competitor above material value.

3. Something comprehensive enough to diffuse this stimulant widely.

4. Something fixed enough to pronounce clearly on relative merit, without regard to age ; yet at the same time pliable enough to apportion itself to duration of time or age.

5. Also, if possible, something that shall at once determine general and special qualification.

If I have not included character and conduct, it is not that they are unessential, but there is only one way of at all satisfactorily determining them. Every competitor must be certified on those points by his minister and schoolmaster. They cannot, as some require of us, be made matters of examination, and affect its issue. These desiderata may be attained—I speak from experience—by the following plan :—

1. Money premiums. 2. A class list. 3. Certificate cards. 4. Special prizes.

The class list, drawn up on the general result of the examination irrespective of age ; but the boys arranged herein under their respective ages—ten, eleven, twelve, and upwards.*

The money premiums graduated according to age, going from the whole to two-thirds, and one-third in each class. Thus, if the money prize was 1*l.* 10*s.* for the first-class, a boy of twelve or thirteen would get it all ; a boy of eleven, only two-thirds, or 1*l.* ; a boy of ten, one-hird or 10*s.* ; whilst all would equally get the honourable recognition of the class.

Certificate cards, confined to classes 1 and 2, but age of attainment always mentioned, and the repeated prize or class gained always inserted, with date, on the same card as first given. It is hoped these will find a value in the eyes of employers.

The special prizes for particular subjects to be irrespective of age or class, but confined to competitors of eleven and twelve years old.

Such is the working plan we have adopted in the archdeaconry of Worcester, where with a colleague, the Rev. William Lea, of Droitwitch, whose zeal and interest in this matter it would be uncandid not to record, I have for three years conducted a prize scheme under the Diocesan Board of Education ; and though it is not my object, nor exactly appropriate to this occasion, to dwell on particular experiments, I may as well just summarily state the results, premising that the examinations have each year advanced somewhat in difficulty, and that there has been a very decided corresponding improvement also in the best papers.

We divide the archdeaconry into three districts :—

Year.	Kidderminster Candidates.	Worcester Candidates.	Warwick Candidates.	Total.
1854	77	—	—	77
1855	87	—	—	87
1856	136	67	—	203
1857	157	156	81	394
1858	183	258	144	585

* Prize schemes generally make it a necessary condition for competition for the higher classes and prizes that the competitor shall have attained the lower gradations. This looks like legislating for prolonged school teaching certainly, but is, nevertheless, a mistake, I think. Encouragement is the great thing. If a boy is backward and ill-informed, he will not succeed ; and if he is not, you have got a great part of your object—the graduated money prize is quite sufficient of reserved inducement. This rule, too, excludes all migrated boys of at all advanced proficiency. Also, if only not to seem to countenance the cramming objection to all prize schemes, as well as for other reasons, it is better that the subjects of examination should not be definite fixed subjects, or declared portions of subjects, but such things, unannounced, as the candidates may be expected to know.

One of the schools which supplies candidates informed us that whereas in 1854 he had only twenty-seven boys of ten years old and upwards, now he has eighty. And 1856-7, Mr. Lea, carefully testing the results on three schools under the Schemes' operation, found that the age of the first class had gone up from ten years eight months to eleven years five and a-half months, and the numbers in the schools from 306 to 517.

When, if ever, an interest is excited in education by a firmer and more substantial prize system, these lesser auxiliaries may cease. Meanwhile, not only are they all we have, but especially beneficial—nay, absolutely necessary—in their way, by bringing the objects and results of the experiment under the very sight and understanding of the parties who require to be influenced. Our lower orders are in the condition of the racehorse whom Aristotle tells us would faint were the sight of the goal removed, rather than that of the Grecian athlete, whose death-struggle was nerved by a parsley chaplet. One peculiar advantage, though, of such proceedings, deserves note. Government inspection, of course, is a capital thing, and, under the able men who conduct it, leads to results on schools scarce perhaps anticipated; but, after all, it is but inspection, and acts more as a guarantee to Government for its outlay than, at least directly, for any other end. At best it but compares a school with itself, or with some standard in the inspector, of which the school knows nothing during the trial. Not only is it not almost impossible, but that the rule, as it is separately applied to each school, should be somewhat of the Lesbian order, but what is more, the party to whom it is applied can scarce be conscious of any such application at all. A prize system in a district, gathering in a number of schools to a general competition, has all the advantages of inspection, so far as inspection tries the proficiency, besides those of a uniformity of gauge or standard, and of a felt and understood comparison. School is tested with school, and under a measure the same for all, and known and acknowledged to be so. A school inspector of much experience once admitted to me that his occupation was gone if a prize system was thoroughly organized.

Of course the certainty of this, and the wisdom of the measure prescribed, rests with the examiners; and on them here, as in all educational processes of the sort, rests, and must rest, the responsibility, so that on their fitness or otherwise the whole experiment depends.

But I may not extend these remarks. Let me only say in conclusion that I am perfectly aware that in what I have advanced there are points assumed which some men might question, and more perhaps to which objection might be urged. I believe the proof of the one and the removal of the other by no means difficult, did the necessary limits of this paper permit. Neither would I be understood as advocating a prize system as though it were of the highest and purest of principles. Of course we admit that right energies are their own best reward, and that not directly to seek is the best way often

to attain best results, and that secondary motives are inferior to primary. Still we have the highest sanction for even such secondary motives when we find a heavenward struggle and a heavenly prize put before us through the symbols of an earthly contest and an earthly meed; and we may remember that whether we regard a prize scheme as an incentive to, or a reward for, increased exertion, the sense of the mere value of the end is merged often, often lost, in the honourable pursuit of the means, and often too this better and higher regard may result, even where we did not expect it, through stimulating exertion by an appeal to lower influences. Only also we should remember this, that the due appreciation of a prize as a reward which may result on exertion rather than an end itself directly to be pursued, must depend on intelligence and a cultivated sense, and therefore the value should be made more definite, tangible, and positive, just in proportion as circumstances have perverted the intelligence or clouded the faculty, which might discern the value of means for their own sake—which, if true altogether, or in the degree in which it is true, vindicates the claim of 'a prize system to be an element of lower education.'

The Improved Administration of existing Charitable Funds, by their Application to the Endowment of Parochial Schools, as illustrated in the case of St. Nicholas with St. Leonard, Bristol. By the Rev. Edward Girdlestone, *Canon of Bristol.*

The support of parochial schools for the labouring classes, is a question still well nigh as far from solution as ever. An almost insupportable burden is still laid upon a few willing individuals in every parish. Of these the clergyman, though in a vast majority of cases his income, is barely sufficient for the decent maintenance of himself and family, by common consent occupies the foremost place. Great exertions are made by these few. Great sacrifices are undergone by them; bazaars, charity sermons, and every other like fictitious source of temporary income, humiliating though they are, must as a matter of necessity be resorted to. Notwithstanding all this, the school funds are always at low water, and the managers are obliged to live from hand to mouth. A proper supply of able and well-trained teachers, and good books and other apparatus, cannot be afforded. The schools drag on a miserable and almost useless existence. Some even languish and die. Large and commodious school-rooms, built at a great expense, are either altogether closed, or kept open in such a way as to have no claim whatever to be considered schools. While, in other cases, children of all ages are huddled together indiscriminately, in small, low, unhealthy cottage buildings or outhouses, where system, even if the teacher were competent, would be impossible, and where anything like moral

training is out of the question. The picture is not at all overdrawn, but may be seen in almost every part of the country. No wonder, under these circumstances, that, while we have often on paper the most flattering reports of the number of children under education, that is, assembled together in school rooms of any description, there is in the daily life and conduct of the labouring classes very little proof of any great increase of real education. No wonder that out of the whole number of existing schools, scarcely one fourth part has been able to fulfil the condition wisely laid down by the Committee of Council on Education, for being placed under inspection, and that three-fourths consequently—say in round numbers between 15,000 and 20,000 schools—are still excluded, and unless some fresh machinery for their maintenance be set in motion are likely to remain excluded, from all the benefits of the large grant annually made by Parliament. It may be added, that as regards many even of the schools under inspection, very great difficulty is experienced by their managers in raising adequate funds for their maintenance: that the very inadequate number and inefficient condition of night schools, one of the most useful sort of institutions, if well conducted under trained and certificated teachers, for the carrying forward in those of maturer age the education commenced as children in day schools, is attributable to the same want of funds: and that of the two principal remedies suggested, the one—namely, an Education rate—though it has been often debated, is owing to the state of religious and political parties as far from being agreed upon as ever: while the other—namely, such an increase of the Parliamentary grant as would suffice for the maintenance of all poor schools—would on financial grounds, as well as from objection to so large a system of centralization, be infallibly objected to.

Funds for the maintenance of schools for the labouring classes being thus scarcely attainable, it will hardly be believed, that according to the statement of a no less accurate authority than Sir J. K. Shuttleworth, there are in existence at this moment endowments worth 800,000*l.* per annum, bequeathed solely for the benefit of the labouring classes, which are all more or less injurious to the true interests of those classes, as long as they are administered in the way marked out by the testators, but which, with a very moderate amount of pains and trouble, and without any expense, are capable of being transferred for the permanent maintenance of Parochial Schools. Such, however incredible, is nevertheless in reality the case. And the following account of what has, during this present year, been in one instance actually accomplished in this matter, is given as a sample of what more or less may be done in all, and as an encouragement to those who happen to be similarly circumstanced to set about the work of reformation without delay.

The united parishes of St. Nicholas with St. Leonard, Bristol, contain a population of about 2100 persons, of whom very few, comparatively speaking, can be said to be really poor, since a considerable portion of the parish is occupied by the warehouses and shops of

wealthy merchants and tradesmen, and there is plenty of employment for industrious men. By the munificence of various charitable persons, chiefly merchants resident in the parish, plots of land, much improved and still improving in value, houses, and various sums of money, have, from time to time, been left for the benefit of the poor of the parish, to be distributed partly in bread and clothing, but chiefly in money doles. These endowments produce at this present time about 440*l.* per annum, and owing to the improved management of one particularly valuable estate, are sure, in the course of a few years, to produce at least 650*l.* per annum. Not many years ago, it is notorious that these large funds were used principally for electioneering purposes. Books of the true blue colour may still be found in which such records as this appear:—'John Thomas received 5*l.*, but after all voted the wrong way, and must never have any more.' It is, of course, some years since such a state of things prevailed. But still, though during the last few years every possible care has been taken in the administration of these funds by the Vicar, Church-Wardens, and Vestry, it was almost universally felt by those in whom the distribution of them was vested, that instead of ministering to the real benefit of the working classes, these money doles tended rather to demoralize and pauperize them. Large numbers of idle persons were attracted to the parishes, willingly giving an almost fabulous rent for lodgings, in order to become qualified to be recipients of these wages of indolence. And in spite of every precaution to the contrary, it was notorious that a considerable amount of the money given away was spent in the public-house and dram-shop.

There is existing in the parish a commodious almshouse, a most useful sort of institution if well managed, in which, under a respectable matron, fifteen poor widows, or other old women, selected from the parish with especial reference to character, have each a comfortable room, and a common room for religious instruction and other purposes. This almshouse, however, was almost wholly unendowed, and its inmates were dependent for their support upon any little savings of their own, relief given by the guardians of the poor, or the casual charity of friends and neighbours. Large, well-ventilated, and well-furnished schools were also in course of erection, and have since been opened with every newest educational appliance, under first-class certificated teachers, for 100 boys, 100 girls, and 100 infants, at a cost of 2500*l.*, of which 1150*l.* was granted by the Committee of Council on Education. These, also, were wholly unendowed: and no doubt considerable difficulty would have been found in raising a sufficient annual income for their efficient maintenance. Such being the case, the proper time seemed now to have arrived for a better application of the parochial endowments above mentioned. The subject was discussed and ventilated on all fitting occasions. Old habits and prejudices, firmly rooted though they were in the minds of some of the older parishioners, gradually gave way to a courteous representation of the solid advantages to be obtained by a different administration. Common sense, encouraged by kindly feeling and a studious avoidance of anything like arbitrary

dictation, at length prevailed. An improved application of the parochial endowments was agreed upon, if practicable. The Vestry and their able Clerk now took up the matter energetically. Communications were opened with the Charity Commissioners in London. Mr. Erle, the chief paid Commissioner, took great interest in the subject, and afforded every facility. So likewise did Mr. Baines, the Parliamentary head of the commission. And, after him, under the present Government, Mr. Adderley, as well as Lord John Russell, Sir John Pakington, and other influential educationists. The result is, that a scheme was agreed upon between the Charity Commissioners with the Vicar, Churchwardens, and Vestries of the united parishes. After all preliminary forms, such as publication in the parishes, had been complied with, and without any either local or Parliamentary opposition, a Bill founded on that scheme received the Royal assent on June 28th, 1858. This Act is the 21 & 22 Vic. cap. 31, and is entitled 'An Act for confirming a scheme of the Charity Commissioners for certain charities in the parishes of St. Nicholas and St. Leonard, in the city of Bristol.' This Act having been obtained through the Charity Commissioners was considered a public Act, and consequently cost nothing. Thus the ruinous expense of a private Act was avoided.

The above Act of Parliament, a copy of which may be purchased for sixpence from the Queen's printers, abolishes all the money doles and gifts of bread and clothing, endows the almshouse referred to in a former part of this paper with 200*l.* per annum, and the new schools above described with the remainder of the annual income arising from the various properties, which are enumerated in the Schedules appended to the Act; which remainder amounts at present to about 240*l.*, and will gradually increase till it reaches the sum of about 450*l.* It is obvious that with the command of such an annual income as this, the managers of the St. Nicholas with St. Leonard Parochial Schools will not only be able to maintain the existing Sunday and day schools, in their present state of complete efficiency, but will be in a condition to organize efficient night and industrial schools. Night schools, in order to be really efficient, ought to be conducted by trained and certificated teachers, equally able, but not the same as those employed in the day schools. Instances of funds equal to such a large additional outlay being rare, night schools are very often in consequence a failure. The additional expense will be easily met in the present instance. Among other things, the Act above referred to prescribes in clause 7, that 'such a proportion of the said school fund as shall be approved by the said School Committee, shall from time to time be appropriated, under their inspection and to their satisfaction, to the purpose of providing, so far as the amount appropriated to this purpose will extend, one or more daily meals, either gratuitously or at a reduced cost, for all the children attending the said schools, or for any such children to whom the distance of their residence from the schools, or the poverty of their parents or next friends, or other circumstances shall render this provision most beneficial, or to whom this benefit

may be assigned by the managers of the schools as a reward of merit, in order particularly to the exemption of such children from the difficulties and loss of time incident to their passing to and from the said schools, and to the promotion of their comfort therein, or the relief of their parents and next friends.' In connection with the above provision there will be no difficulty in setting up an industrial kitchen, in which the elder girls may be trained under an experienced matron to make the soup or other provisions for the above meals, out of the ordinary materials and with the ordinary apparatus usually found amongst the working classes, and to wash up afterwards. It is a great mistake to furnish industrial kitchens with expensive cooking apparatus never to be found in the poor man's cottage. But to train young women to prepare a nice looking and tasty dinner, from the materials and with the apparatus in ordinary use among the working classes, will tend, more almost than anything else, to make the home of the working man comfortable, and so to indispose him for the selfish gratification of the public-house.

From the above statement it will appear that great care was taken throughout this business not to divert the charitable funds to any other class than that for which they were originally bequeathed, but only to administer them to the same class in a manner more really beneficial and advantageous; to the aged poor in the almshouse and poor children in the schools, instead of as before to the able-bodied, and idle, and profligate; that nothing has been done in the particular case of St. Nicholas with St. Leonard, Bristol, which may not be as easily accomplished in any other of the richly endowed parishes of Bristol, or in any other place similarly circumstanced; and that what has been done in this particular case might have been done much more easily, and equally safely, and would, in all likelihood, be more generally followed up in other places, had not the House of Commons, in 1856, very unadvisably rejected one of the resolutions moved on May 6th, by Lord John Russell, which was to the effect 'That for the purpose of extending such means, it is expedient that the powers at present possessed by the Commissioners of Charitable Trusts be enlarged, and that the funds now useless or injurious to the public be applied to the education of the middle and poorer classes of the community.' Owing to the refusal of the House of Commons to entertain this resolution, the Charity Commissioners, for want of enlarged powers, have failed in all their previous attempts to carry out such sort of reform as that which has been enacted in favour of St. Nicholas with St Leonard, Bristol. This most necessary and salutary reform, however, having now in one instance been found feasible, even without any enlargement of the powers of the Charity Commissioners, it is much to be hoped that the example thus set will be speedily and generally followed. The '*vexata quæstio*' of education has thus, at least in one important detail, received its solution, namely, as to where funds can be found for the annual maintenance of schools.

National Education. What should it be? By THOMAS BAZLEY, M.P.*

No wise man, no good man, desires to see the beneficial and beautiful truths of our common Christianity withheld from the people of this or of any other country; but considering the difficulties which exist in forming an allied religious and secular system of public teaching for the young, would it not be just, prudent, and expedient to provide for the people of this country a system that would leave to the clergy of all denominations the whole of the religious teaching of the age, requiring the State to provide only that secular knowledge in which it has a direct and material interest? The mere schoolmaster can only be an imperfect teacher of religion, and to place him in that position is to trench upon the duties of the clergy; but the latter, as if they had not confidence in themselves, and as if they did not possess the confidence of Parliament in the performance of their special duties, call upon the former to impart that religious knowledge for which he is seldom qualified. If the theory of imparting religious instruction in schools by the retention only of the Bible as a class-book be continued, one of the great existing evils would be perpetuated, doctrinal truths would be ignored, and only a vague religious knowledge, without adequate religious teaching, would be the result, leaving to the scholar no evidence of the truth within him. Indeed, it is seriously feared that the delegation of religious instruction to incompetent schoolmasters has been prejudicial to the well-grounding of the young, and of their due attainment in those divine truths which it can only be the proper duty of either the parent or the clergyman to impart. Granting that an improved and national system of education ought to be conceded as indispensable, the questions arise—what shall be the system? and what can it be? Respect for the opinions of all—and justice to all the contributors to the public revenue, whether national or municipal, out of which must be paid the cost of any general system of education—reply, that a practical plan should be established, doing violence to no conscience, but providing for the benefit of the young, and without detriment to any section of the religious community. For the State to provide religious instruction for all, would be alike unjust and impossible, consequently the religious teacher and the parents of children must be responsible for their religious training; and in this great and necessary duty to the rising generation, the rich laymen of every class need only to be appealed to by their clergy, to contribute more extensive means for the diffusion of

* After describing the present defective condition of national education, Mr. Bazley continued as above.

religious truths in accordance with the convictions of the several religious communities. Should not, then, the State establish a system of teaching for every denomination of children, the secular portion of which education only it should authorize to be paid for out of public rates, and leave the various religious bodies to supplement such a system, by providing the more sacred instruction which they wish to inculcate? Under the Factory Act, children can only be employed by possessing two certificates, one from a surgeon for physical capability, and the other from a schoolmaster verifying attendance at school; and if the Legislature wished to secure the performance of the duty of religious teaching, how easy would it be to follow the precedent in factories, and require a certificate, weekly or monthly, of religious instruction having been imparted to each child attending a free public secular school. If the cost of the secular portion of public instruction only were provided out of a national or municipal treasury, every man might support his conscientious and religious convictions of truth, without being required to pay for—in his own opinion, at least—his neighbour's error. Let no alarmist fear that this would be a godless system of education. Guarded by Parliament, and guided in its administration by patriotic and faithful men, it would, with the supplemented duties of the clergy of every creed, become a blessing, under Providence, to the existing and future children of this favoured land.

In harmony with these views, there has been established in Manchester 'The National Public School Association,' the object of which is, as set forth, 'to promote the establishment by law in England and Wales of a system of free schools, which supported by local rates and managed by local committees, specially elected for the purpose by the ratepayers, shall impart secular instruction only, leaving to parents, guardians, and religious teachers, the inculcation of doctrinal religion, and to afford opportunities for which the schools shall be closed at certain stated times in each week.' This proposition has obtained the warmest approval of many influential communities, and especially in the great cities and towns of the kingdom has it been cordially supported. A petition in its favour, signed by 61,700 intelligent male adults in Manchester, was presented to Parliament. To test the practicability of the important principle thus propounded, a specimen or model school was established in 1854. This school is perfectly free, and has perfectly succeeded. Reading, writing, arithmetic, grammar, geography, and general useful knowledge are taught, and the attainments of the scholars are truly wonderful. Many of these children have been 'as brands snatched from the burning,' and probably nearly a thousand of them, all from the necessitous classes, have received the rudiments of education, which will contribute to their own beneficial usefulness and to the good of the community; 350 children are usually on the books and in the course of instruction, ninety-two per cent. of which are in regular attendance. It has been most gratifying to find that ninety per cent. of the children attending this school have also attended Sunday schools, and have otherwise received religious teach-

ing. The cost of this scholastic establishment, including salaries, rent, and every expenditure, is about 450*l.* per annum, or 26*s.* per head for each scholar. The masters' report of the progress of his pupils, and other most interesting details are in existence, to prove the benefits which many wretched and destitute children have derived from attending this experimental school. None but the best elementary books have been introduced into it, the best selections having been made from the 'Irish,' 'Chambers,' and other courses, and the remark may be offered here that to the honour of all writers of books of instruction for the young, they have with common and singular propriety scarcely produced a work that cannot with safety be placed in the hands of the most ignorant. Triumphant as the practical and now proved advantages of this school are, the Privy Council has withheld all pecuniary and other support and countenance from it, though a simulated assent to certain prescribed forms would have procured the needed aid; hence not only is a great, sound, and beneficial principle stultified, but the very honesty of its advocates has been insulted for the omission of an assumed and impracticable sanctity.

Many eminent men have avowed the necessity of separating religious and secular teaching into two distinct duties, and after witnessing the benefits arising from such a system in America, Lord Elgin, at Glasgow, in January, 1857, said that 'Education in Canada was equal to that in Massachusetts. Elementary education was there free of cost, attainable by every child in the community, and on conditions which do no violence to any principle. Every child might go on the same terms to the higher school, and thence to the University.' And then his lordship exclaimed—'If we can get all these advantages by going to Canada, why cannot we get them without going to Canada?' A wise legislature will decree that the teachers of sacred things shall be sacred men; whilst for the artistic and material duties of life, the man whose labours conduce to his own worldly weal or woe, and whose knowledge, or ignorance, of common industrial duties, leads to honourable rewards, or to degradation, shall be provided with the means of acquiring an ordinary education. The patriotic and enlightened statesman will provide for the material wants and honour of his country, he will develop every latent and hidden power which can promote universal peace and prosperity, and he will not withhold from the young of his nation that knowledge which, as a mental implement of inestimable value, shall enable its possessor to work his way through life, to become a profitable contributor to the stores in the general hive of industry, and to place himself among the independent and virtuous subjects of a great empire.

On the Principles on which Educational Legislative Measures should be based; and on the need of an Immediate and Liberal Extension of the present Government System of Education, more especially with the view of reaching Rural Parishes. By the REV. NASH STEPHENSON, M.A., *Incumbent of Shirley.*

THE commonplace, unromantic principle of supply and demand would appear to be a consideration that is somewhat overlooked by Educationists of the present day. In the new-born enthusiasm of late years on the subject of education, it would seem that the community are attempting to reverse an axiom of political economy, and are seeking to prove that the supply should create the demand, instead of the demand creating the supply. In pursuance of this theory, school-building has been so carried on throughout the country that there exists a waste of accommodation of over fifty per cent. more pupils than there were ever gathered together.

And in what spirit, and to what extent and degree have the lower orders availed themselves of the abundant educational provision furnished for their children? Have they met the movement for their advantage with anything like a corresponding zeal? Most certainly they have not. Either they reject the proffered boon altogether, or else set but little value upon it. An actual moiety of the children between three and fifteen are absent altogether, and one fourth only of the remaining moiety remain at school more than two years.

This then is national education! This is the harvest that has ripened after twenty years of national exertion and lavish expenditure! In all undertakings it is reasonable to require a commensurate return for labour bestowed and capital invested. After making every allowance for the material improvement that has resulted from the Government measures, it would be enthusiastic and idle to assert that the balance-sheet is satisfactory, or that from the experience of the past we may look with hopeful confidence to the future. At the present rate of progress, centuries would not suffice to indoctrinate parents with the principle that a sound education is the indefeasible birthright of their offspring, and that they are as much bound morally to provide for the culture of their minds as they are legally to furnish food for their bodies.

Now, I presume, that none would voluntarily consign their country to such a destiny as this. Our need is far too urgent to brook delay, for meanwhile procrastination is dooming a rising generation to a certainty of ignorance, and crime, and heathenism. If England is to be foremost in the competition of the market of the world, such a position can only be maintained by the superior intelligence of all her children. The increasing inferiority in information of the labouring classes in this country, as compared with those of several foreign countries, is becoming year by year more marked. The cause

is obvious. Throughout Switzerland, Prussia, Holland, Denmark, Saxony, Baden, Wirtemburg, Bavaria, Sweden, and Norway, the law obliges children to attend school, justly deeming ignorance to be a crime against the community which may not be tolerated. The effect of such a salutary law is most encouraging. In Switzerland, *one fifth* of all the people are in regular daily attendance at school. In Prussia, in nearly the whole of Germany, and in Denmark, *one sixth* of the people attend the schools regularly.*

And to this system, a system of compulsory education, England will eventually have recourse. It is idle to talk about interference with the liberty of the subject, or to assert that restriction and compulsion are alien to the spirit of the constitution. What, after all, is civilization, but a surrender more or less of our individual liberty for the general weal? We deem it no infringement of our liberty that we commit to the State the power to enter a man's house; to thrust him into gaol; to try him; banish him; take away his life. We deem it no infringement of our liberty to restrain the undue chastisement of the parent, or to compel the vaccination of the infant, or to forbid the employment of children in hurtful and noxious employments. How then can we deem it an infringement of liberty that the State should maintain the right of the child to early education, and should compel the neglectful parent to furnish mental food for his offspring, and should provide that society shall not suffer by ignorance; the frightful and fruitful source of many social evils?

I forbear from further arguing the question of compulsory education, inasmuch as the principle has already been sanctioned by the Legislature, has been assented to by the nation, and has been found effective for the end proposed where the experiment has been tried. In the cotton, the wool, the silk, and the flax manufacturing districts of this country, the law prohibits the employment of children under eight years; compels the attendance of children at schools; and even limits the hours of labour of young persons. The question then is one of degree and not principle. Surely in the name of common sense and justice, it may be asked why the children of the artizan should be more cared for than the children of the labourer, or why the former should be compulsorily educated while the latter are left to be instructed or uninstructed according to the whim and caprice of the parents? The same reason that demands State intervention in one case equally requires it in the other.

What then is the shape in which State enactments should be drawn up? At the Educational Conference in London, last year, I had occasion to enumerate in the paper I then read, the points on which I ventured to think that legislation should be based.† As I

* 'London Conference Educational Essays,' p. 85. In England, after enormous deductions for those employed in labour, and such as are educated at home, and taking the age of school life from 5 to 12 (instead of 14, as in Prussia), the proportion will be one-eighth. The evil in England also consists not only in the deficiency of children on the books, but in the shortness of their school life and irregularity while at school.

† See 'Educational Essays,' pp. 129—131.

have not had reason to alter the opinions I then expressed I shall now repeat them.

I. The prohibition of juvenile labour under ten years of age.*

The limitation here laid down must commend itself to the judgment of all, on physical quite as much as on moral grounds.

II. The extension of the Half-time Act to boroughs and towns, and a modification of the Print Works Act to rural districts.

Under the Factory or Half-time Act, every child between eight and thirteen years of age employed in the factories, must attend a school for three hours daily for five days every week, or for five hours daily during three days of the week. Under the Print Works Act, an attendance at school for one hundred and fifty hours (or thirty days) in each half year, is a necessary condition of employment. The valuable regularity of the Half-time Act really affords all that, under the circumstances of the case, could be desired. In rural districts the case is different. The farming operations requiring juvenile labour, (such, for instance, as bean-dropping, bird-tending, potato-setting, potato-clearing and getting), require at certain seasons the continuous attendance of the children, and could not be accomplished were a half-time system in operation. The provisions of a Print Works Act would obviate this difficulty, and work beneficially, provided the half-yearly attendance was increased to 220 hours in each half year, or, in other words, to eighty-eight days in the year—the minimum term allowed by the Committee of Council as the condition of a capitation grant to children who voluntarily work half-time.

III. The substitution of indoor for outdoor relief to all paupers who decline or neglect the sending of their children to school. The guardians must be compelled to make good the school payment in cases of necessity. Under Mr. Evelyn Denison's Act the guardians are permitted to make good the school fees. The power should be compulsory.

IV. The multiplication of industrial schools where outdoor children may attend, and be supplied with food on the workhouse dietary scale, at the expense of the board of guardians.

V. The extension of the Industrial Schools Act (20 & 21 Vict., c. 48).

This Act, passed last August, and, consequently, since the London Conference, being an embodiment of Dunlop's excellent Scottish Act (17 & 18 Vict., c. 74), fails exactly in the points in which it differs from its model. The outlay needful for the erection of a building that shall be sufficient for the boarding, lodging, and training of even fifty children, will be in excess of what private bounty will furnish, even with the payment of half the cost by the Privy Council. In fact, the

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* 'Statistics of Education for Birmingham,' Simpkin, Marshall, and Co.

CHILDREN EMPLOYED.

Ages.	Per-centage.
7—8	6 per cent.
8—9	13 ,,
9—10	29 ,,
10—11	45 ,,
11—12	73 ,,

One-fourth of the scholars leave the day school at 9, and two-fourths more at 11.

cost will be about equal to a workhouse that will hold the same number. Power should have been given to raise local rates for the building, or for corporate bodies to have borrowed from the Treasury, spreading the repayment over thirty years. Under the English Act, justices may empower the managing committee to recover expenses of maintenance of a committed child from parents. The trouble of executing this order will deter managers from availing themselves of it. In all fairness, as in Dunlop's Act, further power should have been given to the managers to recover expense of children from boards of guardians, when not received from parents. As the law now stands, there is a direct premium held out to boards of guardians to enter their vagrant and destitute children in these industrial schools. The probable net cost, after deduction of earnings, will be 8*l.* 0*s.* 11¼*d.* per head. At this rate, the annual cost of fifty boys would amount to the large sum of 402*l.* 6*s.* 10½*d.*; and this would be irrespective of the interest of capital sunk in the building. Except in a few of our leading towns, and where the system has become the pet project of some wealthy capitalist, the Act, in its present shape, must continue a dead letter.

VI. The extension of the franchise to all young men above twenty-one years of age who had passed a certain examination, and could show that they had for four or five years attended a school under Government inspection. The vote should be registered in the usual way, but should not be allowed to be exercised until the person claiming it had become a householder, and paid rates for a period of two years.

The machinery by which it is proposed to work out the Middle-Class Examination will provide a ready and most economical method of carrying out this suggestion in every part of the country. The preliminary examination of the junior candidates will afford a sufficient test.

To these suggestions for legislative enactments I would wish to add one more, for which I am mainly indebted to Mr. Hare, the Charity Commissioner.*

VII. The disposal of apprenticeship gifts (which are supposed to yield an annual income of 40,000*l.*) by competitive examination, or the application of them towards the establishment of scholarships, for the purpose of prolonging the education of any children who shall be elected to participate therein.

But whether there shall be compulsory education or not, the existing arrangements of the Privy Council are altogether inadequate to the end proposed.

It is highly desirable, for the sake of all, that at Conferences like the present, the weak places or the shortcomings of our educational system should be indicated, and such remedies suggested as the occasion may seem to require.

In the first place, then, I assert that an extensive and immediate addition to the staff of certificated teachers is imperatively called for by the educational wants of the country.

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* 'London Educational Essays,' p. 29.

There are in England and Wales 15,518 public schools for the poor; or rather, I should say, 15,518 distinct establishments, since many reckoned as one school contain separate schools for boys and girls, but are under one management. Of this number 5613 only are visited by her Majesty's inspectors for annual grants, and in this number each school room is estimated as a school. Now, the full benefit of the public grants are only receivable by schools under a certificated teacher. In England and Wales there are 4187 certificated teachers. But, if all public schools are to be under such a teacher, there are yet wanting at least 11,331 more than at present exist, and there are also wanting a proportionate number of pupil teachers to aid them in their labours, and to supply their place when vacated by death, or sickness, or infirmity, or any other cause. From this calculation there must doubtless be a certain and considerable deduction for schools of very small or sparse parishes, where the outlay of public grants for a highly trained person would scarcely be justifiable. But, under any view, the increase must be very considerable if all important schools are to be taught (as they should be) by a certificated teacher. The cost to the State of providing a certificated teacher is 145*l.* But, provided the necessity were proved, there would be little difficulty in obtaining the amount needful for a large accession. The annual sum assigned by Parliament for education has gradually swollen from 20,000*l.* in 1839 to 600,000*l.*, the sum expended last year. It is remarkable that, however the Legislature may differ as to the mode of expenditure, there has been a surprising unanimity in consenting to the vote asked for, even though it has invariably shown an important advance on the years preceding. In this direction, therefore, there should be an expansion of the government plan, since the necessity of an increase of certified teachers is evident, and the cost of producing them would certainly be sanctioned out of the public purse. The present grant is after all but a little in excess of half a million. When it has reached a million it will be time enough to commence declaiming against lavish expenditure in a country wherein the people, (and chiefly the poor), annually consume sixty-five millions in beer, spirits, and tobacco.

Another defect in the Government scheme, and one of paramount importance, is the practical exclusion of country schools from all participation in the privileges and grants attached to inspection. This point I desire to bring most prominently under the notice of this Department, because it is a branch of our subject that has been much overlooked by Educationists, and has not received in the Houses of Parliament that amount of attention that most certainly is its due. The Minutes, as they stand, hand over the rural parishes to a perpetuity of ignorance, inasmuch as they lay down conditions that are, and ever will be, by them impossible to be fulfilled. This is a strong and startling statement to make, but nevertheless it is one capable of indubitable proof. There are no tables ready to hand to prove the fact, but I have compiled some that must dispel all doubt as to the fact of rural parishes not being under inspection. The counties given are in no way exceptional cases, and are all that I have been enabled to procure:—

TABLE I.—*State of Education in Elementary Public Schools in the Counties of Somerset, Dorset, Devon, and Cornwall.*

COUNTY.	Population.	No. of Public Day Schools.	No. of Schools under Registered or Certificated Teachers.	No. of Parishes with Population of 600 and under.	No. of Schools under Certificated or Registered Teachers in such Parishes.	No. of Children in such Schools on day of Inspection by H.M.I.	No. of Parishes with Population over 600.	No. of Schools under Certificated or Registered Teachers in such Parishes.	No. of Children in such Schools on day of Inspection by H.M.I.	Total No. of Parishes.	Total No. of Children present on day of Inspection.
Somersetshire	443,916	490	71	282	1	31	181	70	9597	463	9628
Dorsetshire...	184,207	271	45	179	10	556	61	35	4998	240	5454
Devonshire...	567,098	503	70	245	2	83	214	68	10,118	459	10,201
Cornwall.....	355,558	258	32	71	1	25	140	31	3990	211	4015
Grand Totals	1,550,779	1522	218	777	14	695	596	204	28,703	1373	29,298

TABLE II.—*Archdeaconry of Coventry: Birmingham excepted.*

DISTRICT.	Population.	No. of Public Day Schools.	No. of Parishes under Inspection.	No. of Schools under Inspection.	No. of Parishes with Population of 600 and under.	No. of such Parishes under Inspection.	No. of Schools in such Parishes.	No. of Parishes with Population over 600.	No. of such Parishes under Inspection.	No. of Schools in such Parishes.	Total No. of Parishes in Archdeaconry, Birmingham excepted.
Archdeaconry of Coventry: Birmingham excepted.	176,000	...	36	56	76	7	9	73	29	43	149

TABLE III.—*County of Hereford.*

COUNTY.	Population.	No. of Public Day Schools.	No. of Parishes under Inspection.	No. of Schools under Inspection.	No. of Parishes with Population of 600 and under.	No. of such Parishes under Inspection.	No. of Schools in such Parishes.	No. of Parishes with Population over 600.	No. of such Parishes under Inspection.	No. of Schools in such Parishes.	Total No. of Parishes in County.
Herefordshire	115,489	149	28	35	130	5	6	61	23	29	191

I am not acquainted with the local circumstances of the fourteen parishes out of 777, given in Table I. that are under inspection; nor am I able to account for the fact that Dorsetshire rural parishes should seem so much in advance of others. Thus much is, however, clear. There is but one country school in 55.5 in these four south-western counties that is under inspection, and, if Dorsetshire be excepted, the per-centage sinks to one in 194.2.

In looking over Table II., that relates to the archdeaconry of Coventry, the locality in which I live, it will be seen that there are (exclusive of Birmingham) 149 parishes. Of these, thirty-six are under inspection, containing fifty-six schools; and of these thirty-six parishes there are only seven with a population of 600 and under. I am personally enabled to state that of these seven parishes four are placed in unusually favourable circumstances. In one parish the school is amply endowed. In two there are resident noblemen, and in the fourth there lives the Vice-President of the Council on Education. There are then exactly three rural parishes ordinarily circumstanced out of seventy-six, in the archdeaconry of Coventry, that open their schools to the Privy Council.

So, again, if we look to Table III., the county of Hereford, we shall perceive that there are twenty-eight parishes out of 191 that are under inspection; and that out of 130 rural parishes there are five, and five only, that employ certificated or registered teachers, and are open to the annual visits of her Majesty's Inspector of Schools.

From a memorial to the Committee of Council on Education from the Bath and Wells Board, it appears that of 522 schools in that diocese, 441 are without certificated teachers; and in an abstract of the National Society's proceedings it is said, with regard to each of the training colleges of that society, that, during the year ending Christmas last, the number of applications for the services of teachers greatly exceeded the power of the several councils to supply them.

Mr. Mitchell, her Majesty's Inspector, indorses the following statement of the secretary to the Essex Board of Education:—"Mr. Mitchell's Report shows that there is scarcely a tolerable school in any rural parish visited by him. There are not half a dozen certificated teachers in any of the parishes under 800."

If these counties then present a fair average of England and Wales, it is most apparent that from some cause or other rural parishes have not subjected themselves to Government inspection. What are the causes that have hitherto prevented them from being in receipt of public aid? If the most prevalent impediments can be ascertained we shall probably discover from hence the clearest indication of the most appropriate remedial measures.

Unhappily there still exists in rural districts a body of clergy and laity, by no means small or uninfluential, who are opposed to State intervention in their schools, believing that a secular education is the covert end at which the Government is aiming. There are others likewise of the same class who deem the mechanical art of reading and writing, the text of the Church Catechism, and Mrs. Trimmer, to be

the aim and end of all education for the labouring classes; and conceive that the development of the intellect that God gave to man for culture, would tend to revolutionize society and unfit the poor man for his station in life. The want of education among the tenant-farmers renders that class likewise hostile to the improvement of the school, feeling that any advancement will render the labourer his mental superior. The extreme thrift of the farmers imparts a tenfold force to the feeling of personal pride, and renders them averse to a change that will necessitate a larger contribution from themselves.

In many rural parishes, one or other, or all of these causes, militate against the introduction of the Government scheme of education. But were all such obstacles to be removed the pecuniary impediment will ever preclude the acceptance of State assistance on the terms that are annexed. The services of a certificated teacher and the annual disbursements of an efficient school cannot be rated at less than 70*l.* per annum. Towards this sum the Privy Council may contribute 25*l.** But the balance, 45*l.*, is far in excess of the amount that can be raised by voluntary contributions, and ever so must continue.

A change then in the mode of administering grants in the case of rural parishes is immediately and imperatively called for. Twenty years' experience must surely suffice to prove that country parishes are virtually excepted from the grants, and it must be admitted that such a course is impolitic and unjust. Many plans may be suggested by which the village school might be assisted, but the plan that will find the readiest acceptance will be the one that tampers least with the proper character and necessary conditions and securities of the present system.

Impressed with this conviction, I venture to suggest that the Privy Council might assist all rural parishes, with a population of 600 and under, in the following manner and under the following restrictions:—

I. That the school shall be mixed.

Where the attendance of children will not exceed fifty it is waste of funds to employ two teachers, and provide for the expenditure of two schools.

II. That the teacher employed shall be a certificated or registered mistress, an ex-female pupil teacher, or a female teacher of a Parochial Union school, with rating not below first class of competency.

A female teacher can readily maintain proper discipline in a mixed school of this character; can teach sewing to the girls; and can be secured for a less sum than a male teacher.

Many pupil teachers give up all thoughts of following their profession at the end of their apprenticeship, either through the straitened circumstances of their parents, or through failure in securing Queen's Scholarships, or through fear of the labour and restraints of

* Public Aid Certificate, 15*l.*, Teaching Pupil Teacher, 5*l.*, Capitation Grant, 5*l.*; total 25*l.*

college life, who might yet be induced to accept village schools with a sufficient stipend.*

With a view of increasing the number qualified to teach in these schools, it would be desirable for many years to withdraw the restriction limiting candidates for registration to teachers over thirty-five years of age, and simply to require that they shall have been teachers in elementary schools for at least three years.

III. That the managers pay towards the stipend of the mistress a minimum salary of 23*l.*, which sum may be made up of voluntary contributions and school pence, in whatever proportions the managers may deem best.

The present minute requires only 20*l.*, the committee adding 10*l.*, making a total of 30*l.*: as certificated mistresses command a salary of 40*l.*, this regulation is valueless.

Where these conditions have been complied with, their lordships should be prepared to make the following grants and aids:—

I. A female pupil teacher for every twenty-five children (instead of forty) in ordinary attendance, in all cases where a certificated or registered mistress has been engaged.

1. In school-rooms, where a pupil teacher has been trained who has obtained a Queen's Scholarship, a pupil teacher is granted to every thirty instead of forty children. This regulation is most extraordinary. The privilege should be annexed to the teacher who trained the child, and not the building.

2. In every school, large or small, there must be at least four classes, and with every class there should at all times be a teacher of some sort present. In point of fact, a school of 100 requires the same amount of teaching power as one of 50.

II. A gratuity of 9*l.* for instruction of one pupil teacher, and of 3*l.* for every additional pupil teacher.

The present payment is 5*l.* for one; 9*l.* for two; and 3*l.* for every additional pupil teacher. In country schools there is not likely to be more than one; and, as the teaching of one requires the same amount of time as two, the fairness of this alteration is evident.

III. A capitation grant of 9*s.* per head for all children, irrespective of the amount of their payments, who may have attended 176 days.

1. The capitation grant is 6*s.* for boys and 5*s.* for girls. The increase of stipend under this head effectually secures the efforts of the mistress of the school to increase the numbers and attendance of her children.

2. The children who pay more than 4*d.* per week are now excluded from the number of those for whom a grant can be claimed. The real effect of this regulation is to prevent properly graduated pay-

* In a Return presented to the House of Commons in Session 1855, there were 3169 pupil teachers withdrawn from the public service as against 1825 admitted into training colleges! A pupil teacher costs the public about 95*l.* The loss, therefore, to the public for the 3109 pupil teachers would be 301,055*l.*

ments, and diminish the school funds. Managers permit children to pay 4*d.* who would and ought to pay 6*d.*, or more.

IV. Double amount of certificate gratuity (in no case to exceed 20*l.*) to all certificated mistresses, and a gratuity of 6*l.* 13*s.* 4*d.* to all registered mistresses, female teachers in Unions not rated below competency, and ex-pupil teachers.

V. A grant of 6*l.* where the managers shall provide lodgings rent-free.

VI. A moiety of disbursements of school managers for fuel, repairs, apparatus, and books, provided that the amount claimed shall not in any year exceed 5*l.*

The paid monitorial system originally put forth may with advantage be revived. The average income of uncertificated teachers in schools open to inspection only is 30*l.* 13*s.* Here the stipend would be 44*l.* 8*s.* 8*d.* at the least, and in most cases would reach 60*l.*

Should this expenditure of public money be deemed too lavish, and no modification appear desirable, I would then suggest that the vestry of such parishes might be empowered to levy an educational rate in aid, and that such rate may be reckoned as voluntary payment on the part of the parish. The Committee of Council, on their part, should be prepared, first, to increase the certificate money; second, to make grants to registered or Union teachers, or ex-pupil teachers; third, to permit pupil teachers to every twenty-five children. Hitherto, no difficulty has been experienced in raising church rates in rural parishes, and an educational rate would be open to fewer objections. It would assist in the education of many children whose parents were Nonconformists. There is, likewise, this advantage in a rate over voluntary contributions. In voluntary contributions the sum subscribed becomes less year by year; the charitable pay for the uncharitable; the few for the many. In a rate each contributes his just proportion.

Assuming that the effects of ignorance are social injuries; that the instruction imparted in village schools is so little and so bad as to be practically worthless; it would follow that the immediate duty of the Council on Education should be so to modify their rules as to meet the case of parishes too small and too poor to raise the proportion necessary to procure assistance. It is a political mistake to doom any class to a certainty of ignorance and concomitant crime. It is a political wrong to appropriate the taxes taken from the nation generally to the education of the manufacturing classes and populous parishes, to the exclusion of the poor dependent on the landed interest. I entirely believe in the impartiality of the Committee of Council on Education, and in their single desire to make the grant as fruitful as possible. I entirely believe in the sufficiency of the present machinery, if duly enlarged and developed, to effect as complete a reformation in our small rural schools as it has effected in the schools of our populous parishes. I believe that the Committee are anxious to undertake the task, and would be willing to ask Parliament for the necessary

addition to the grant, could they obtain moral support for their petition from without, and that support I trust that they will obtain by Petitions to Parliament from the various Educational Boards throughout the country.

On the Part which the Government should take in Promoting the Education of the People of England. By the Ven. ARCHDEACON ALLEN.

THE question seems to be, Are we to be contented with our present system of schools—named, with some degree of opprobrium, sectarian, denominational—doing what we can to multiply and improve them? or are we to aim at some general system for the entire country, which may claim to be truly national, as providing for the whole of our population?

The observations made in Prussia and the United States, if made ever so accurately, are not easily applicable to England. The medicine that suits one constitution is not always healing to another. We have in England the disposition and capacity to do things for ourselves: the religious communities in England have made large sacrifices, both of labour and of money, for the education of the poor; our existing system of schools, the growth of our feelings and habits, cannot be displaced or injured without exciting the sorrow, if not the anger, of a large number of those who have hitherto been the warmest friends of education.

If the inquiry be made, What is the most valuable part of our educational work? the answer must be, that it is that which in one way or other comes in contact with, or is originated by, the religious feeling of the country. A moral work like that of education can only be done by those who have themselves rightly cultivated their own moral natures—such cannot be purchased at will. They can only be procured by the State when the State heartily co-operates with the religious feeling of the country. The State can encourage, inform, strengthen voluntary labourers, but the State cannot supply their place in the affections of the people; and for the true education of the people we must engage their affections, as well as inform and exercise their minds. Book learning and the sharpening of the wit must be carried on side by side with the cultivation and the sense of duty.

It is of supreme importance that our training schools should be left with the voluntary labourers. These training schools cannot be duly supplied with fit pupils if the religious communities stand aloof. The efficiency of these training schools, as of other schools aided by annual grants, is secured by a searching inspection; if impartial and open and intelligent, it cannot be too sifting.

But what is to be done for that large mass of ignorance in our

towns, and for those rural districts which our voluntary agency has not reached? Where ignorance is connected with vagrancy and crime, there must be provided, through reformatories, first, stripes for the back of fools; and second, enforced penal labour, by which the Arabs of society may be disciplined to habits of work, earning through diligence a release from the penalties they have incurred. We cannot with impunity violate the order in which we are placed; unhappily children must suffer for the misdeeds of their parents, we cannot help those who will not help themselves.

Every free school that is established weakens those healthy efforts that are now being made for the improvement of the poor, and tends to the demoralization of parents and the demoralization of children. Of parents, as teaching them that, though they must make sacrifices to provide their children with material bread, no sacrifice needs be made to provide them with spiritual bread. Of children, as depriving them of the humanizing influences of gratitude; for what child will be taught gratitude to his parents, or gratitude to his teachers, if he get his book learning without cost at a State school?

Suppose, however, that through a vote from the consolidated fund, or through local rates, school buildings could be erected, and paid teachers be appointed for every district that might include 1000 inhabitants, would the difficulty be met?

The great hindrance to education is, not the want of schools and of teachers, but the indifference of parents. This indifference will be increased by establishing free schools—added to which it cannot be expected that the same amount of interest and sympathy will gather round State schools as now attaches to our denominational schools. We shall lose some of the most precious cement of society if the relations now established, through the school, between the clergyman, the landowner, the employer, the tradesman and the children of the poor, be weakened; where people of free choice give their money, they give also their affections and their pains.

It is obvious that the domestic policy of a government may be over fostering, over meddlesome—our existing school organizations cherish our English habits of self-help and self-government. We wish for the development of individual energy, so far as it does not trench on the rights of others, for freedom. Responsibility should be subdivided, the operation of the central force informing and stimulating each labourer to cultivate to the uttermost the field allotted to him.

It is because of the stimulus given to the voluntary labourers by the minutes of 1846, and because of the wise provisions therein made for securing practical efficiency to the schools aided, without interfering with the conscientious convictions of the school managers, that the success of those minutes has been so remarkable; no honest workman has fairly tried them but has found them to be an effectual help. They have, as I believe, been administered with inflexible integrity, and the longer they are acted on, the more will the country be sensible how great a debt of gratitude is due, humanly speaking,

to their author, Sir James Kay Shuttleworth. Their operation may perhaps be still further enlarged in the increase of the capitation grants, and in the aid to night schools. For the mass of the people night schools offer the best opening for self-improvement.

Subject to that great principle, happily so distinctly recognised in the first minutes of 1839, 'that no plan of education ought to be encouraged in which intellectual instruction is not subordinate to the regulation of the thoughts and habits of the children by the doctrines and precepts of revealed religion,'—it seems to be an error on the part of the Government to recommend specific books. The Government may rightly decline to examine as to any subjects that may seem to be frivolous or out of place. But if Hallam and Blackstone be recommended, the objector may fairly ask why should Sir James Stephen and Burke be omitted, or indeed Adam Smith, or Butler, or Bacon.

The reports of the inspectors ought to be widely diffused, and as a help to their independence and usefulness, what they write should be published, not in an amalgamated form of combined results, but with the stamp of individual responsibility. They come in contact with the schools, and must know their needs better than a secretary in Downing-street. The inspectors were not appointed to carry out any supposed views of the Government in regard to education, but as trusted officers (subject to the direction of the Government, and checked by the authorities of the religious communities) to be ready, if asked, with such counsel after examination as their enlarged experience might suggest. An inspector, who finds stories cited from his reports as jests by the newspapers, has reason to ask himself if he has not mistaken his work; but an error of this kind is not likely to be repeated.

With a view to recognising still more distinctly practical skill in a teacher, as being at least of equal value with the power to produce on paper answers to such questions as, 'What is the method of bringing a private Bill into the House of Commons?' 'What were the objects of the statutes of provisors and of premunire?' I wish that in the case of a teacher whose school was reported by the inspector three years in succession to be of pre-eminent merit, the most experienced of the inspectors might be sent specially to examine that school, and, if the report of the experienced inspector coincided with that of the local inspector, that the school might be admitted to the advantages of pupil teachers and capitation grants, even if the master were unwilling to present himself for an examination on paper. If he proved unable to carry his pupil teachers forward, the school would be admitted only to a share in the capitation grants.

The conclusions I have arrived at are, I think (1) that we cannot displace our existing schools without incurring a grave responsibility; (2) that those schools are working increasingly well; (3) that they cherish sympathy and cement society; (4) that the State should do what it can to encourage reform and strengthen the voluntary labourers; (5) that it cannot rear fit teachers without the hearty co-

operation of the religious communities; (6) that our voluntary efforts can only be supplemented by penal discipline; (7) that free schools will weaken, and in the end destroy our existing schools; (8) that free schools will not answer the desired ends; (9) that the minutes of 1846 supply the best attainable solution of the problem, enlarging their application in the increase of the capitation grant, and in the aid to night schools; (10) that the Government should not recommend specific books; (11) that the reports of the inspectors should be published intact, they being individually responsible; (12) that they should be trusted with the recognition of remarkable practical skill in school teachers.

I fear more the failure of charity than the failure of knowledge—one can imagine a state of things in which every office was filled in strict conformity with the tabularized results of a wholesale system of competitive examinations, but I cannot think that the issue would be a community of modest, laborious, trustworthy citizens, serviceable to each other and creditable to their country. The question which the State has to solve in its dealings with education, is how can it best rear those who will make the intelligent discharge of duty the aim and end of life?

Compulsory Education. By the Rev. W. Fraser, *Paisley.*

Our population may be divided into two classes—the educated and the non-educated. While there are in the sphere of the educated manifold political and ecclesiastical antagonisms, all more or less favourable to progress, there is in the sphere of the non-educated an all-pervading and almost hopeless apathy. A social and moral paralysis extending over large masses of our population has hitherto baffled all the appliances of statesmanship and philanthropy. The fact of an outlying population sinking and sunken, is indisputable. In proof of this general statement I need scarcely refer to recent statistical investigations. They have thoroughly dissipated the delusion, long cherished, that all children of school age, not at school, were at work and acquiring at least habits of industry and attention. While about 600,000 were at work, there were, according to the census returns, more than one million and a half, after making allowance for every claim to deductions, neither at school nor at work. Subsequent investigations throw additional light on our diseased social condition. In Manchester and Salford 1700 were, in 1852, neither in school nor at work, and in Glasgow, it has been recently ascertained, that there are still, as in 1837, only one in fourteen at school. The simple fact that hundreds of thousands are growing up without any education, and consequently unfit for the duties of a healthful citizenship, indicates a social condition requiring the prompt-

ıd most effective, although they may be *extraordinary* remedial ıres.

ıat is to be done? The question is difficult, but it is one with ı this and similar associations must deal. The first and readiest is, that a national system, supported by local rates and moulded ıal management, would almost completely reduce the untaught s? This supposition is, I humbly think, a mistake. All ience is against the anticipated result. In the United States, an education supported by local rates and conducted locally, ısily accessible to the very poorest, so many thousands are grow-p untaught that even *there* the question of compulsory educa-s beginning to be freely discussed. In Ireland, with a national n exacting no fees where none can be paid, and with the Church ıtion Society carrying over the country the benefits of the tary system, similar school neglect appears. In England and nd children, with free-schools, in many instances daily open for admission, are loitering into an ignorant, and consequently st, manhood. What is there in a national school more than in enominational, to attract and elevate the sunken? If the de-ıational plan with its combined forces—State stimulus and local olence—is failing, is it not more than probable that a national ı with its single force will also fail? Let a net-work of ıghly equipped national schools be carried over the whole ry, and lowered around the most sunken of our town populations, will be found powerless to attract and elevate the untaught pathetic masses. This, I am persuaded, is the firm conviction of all who have come much into intercourse with that mass of tage, now in the country, which has itself never known the ıgs of even the most rudimentary education. Ragged schools ıso advocated by many as sufficient to supplement our educa-agencies and meet our destitution. They are carrying the ıgs of a kindly and generally efficient education certainly into homes, but not to such an extent as to affect the general con-of the country. They collect only the straggling Arabs of our , the mass behind is untouched. Reformatories are also doing for the young, but only when drawn forth by the rude arm of w from amid simmering and seething depravities, stamped with ıfamy of early crime. Our ragged schools and reformatories their benefits only into the outskirts of our social and moral ı, while the fields, sending abroad their floating seeds of vagrancy rime, are ever permitted to multiply undisturbed the elements ir own productiveness. Prize schemes and many other appli-of Christian philanthropy are also, in many instances, carrying them beneficial results, but are ineffective in the present con-ı of society to produce sufficiently extensive and continuous ses of reform and elevation. The truth is distasteful and dis-ging, but it must be looked at. All the agencies we have tablished but scratch the surface, and gather into our institu-a few floating particles for amelioration. Were there no repro-

duction of the same forms of ignorance and apathy, the whole mass might in process of time yield to the play of persevering benevolence, as the solid rock moulders into softness and fertility under the gentle influences of moisture, air, and light. But it is otherwise—as rapidly as one portion is removed, another fills its place.

We must go to the source. Our social condition can now only be changed, in so far as education avails, by a national system based on compulsory enactment. Legislation in this form has become a national necessity. I am aware of the strong prejudices in England against this remedy, yet venture to solicit for its claims what I feel assured it will obtain in this meeting,—deliberative consideration.

The first difficulty pressed against compulsory legislation, whether direct or indirect, is its alleged interference with the labour-market. Too much has been made of this objection. It has been applied to the 1,500,000 not at school nor at work, while it is only fairly applicable to the case of those at work. But taking the objection in its more consistent application, I ask, is it just, in honouring the claims of the labour-market, to dishonour the rights of children? We do not drag young horses into the labour-market until there is a certain firmness of bone and muscle; yet there is no hesitation to lay the body, heart, intellect, and moral energy of children a sacrifice on this altar of Traffic. Public tenderness is exquisitely acute as regards the claims of covetous parents and masters, but coils itself up rapidly in indifference when thousands, emaciated in body through premature toil, and enfeebled in spirit, stand before it, and is heedless of the terrible loss to every neglected child of its one privilege—education. No parent, I hold, has a right to traffic in the bone, sinew, and spirit of his children, when he should be educating them. We take care that the body shall not be maimed or injured; and does it not become us with still greater earnestness to guard the higher nature from distortion and imbecility? There is absolute necessity for restrictive legislation when the labour-market carries its demands so far as to interfere with the growth of a healthful citizenship. This it does when, as at present, it forms the foundations of its imposing structures out of finest sensibilities, which it crushes—out of strong and hopeful intellects, which it keeps for ever dark—and out of consciences, which it touches often only to deaden. This restrictive legislation already works in the Factory Act. Why not extend suitably modified applications of the principle to all employments—raise the first year of toil to ten years of age instead of eight, and make even at that age certain educational attainments the condition of entrance on half-time labour; and at fourteen make a higher education the condition of full-time labour? This has reference only to those at work, and who might feel too heavily the pressure of direct compulsory enactments bearing without modification on all classes; but for those already at school, and those neither at school nor at work, compulsory legislation could be no really irksome and unsuitable burden. To those already at school, and valuing the benefits of education, a compulsory enactment would be as nothing, and could

no more be said to interfere with their liberties, than sanitary regulations interfere with the purposes and life of those who attend to cleanliness and health, irrespectively of law. Sanitary laws *do* interfere with the liberties of those that love to wallow in filth. In compelling attention to cleanliness and ventilation, we do break in upon the apathy of a free people, and without serious compunctions as to encroaching on their liberty; and may we not insist in the same spirit and in the same way, that those who wallow deliberately in the sottishness and gloom of ignorance shall let the light of education break upon their homes, and that they shall attend to the ordinary laws of intellectual, social, and moral health? To the 2,000,000 already at school in England and Wales, and to the 368,000 in Scotland, the law would be as if it had no existence; while to those not at school and not at work it would carry with it unspeakable privileges, by its securing the attention of all to their own highest interests. So long as parents are at perfect liberty to send their children to whatever school they please, and to train them in whatever religious belief commends itself to their prejudices or their conscience, there can be no solid reason for resisting compulsory enactments.

The argument for compulsory education might here be urged on the ground of self-defence, and of the greater public good; but our limits forbid more than a closing remark. It may be safely enunciated as a principle lying at the very foundation of society, that no one section of a community shall have the right or permission to prove a danger and a burden to other sections; that no one section be allowed to compel continuously other sections to establish and maintain agencies to repair its neglect of duty and its violation of law.

Much might be added. Compulsory education is necessary to guard the rights of children amid the crushing competition of the labour-market; to regulate the pressure of one section of the community on the other; to diffuse through the nation greater enlightenment, juster views of individual responsibilities, and a healthier social life. Without it, national systems will fail, like denominational appliances, to overcome the *vis inertiæ* of the uneducated masses. However generally reluctant the public mind may be to entertain this view of the subject, it must soon receive closer consideration than has yet been bestowed on it. In this hope, I venture to throw out the following suggestions:—

1st. That not only for social and moral, but also for purely physiological reasons, the age of half-time labour be raised from eight to ten years; and that an educational test be applied as the condition of admission to half-time labour.

2nd. That to guard against the admitted abuses of the Factory Act, another and higher educational test be applied at fourteen years of age, as the condition of admission to full-time labour in all employments.

3rd. That to guard further against the burdens of ignorance, vagrancy, and crime, there be an enactment directly compulsory,

requiring the attendance of all not at work till fourteen years of age on the means of instruction, either private or public.

For the reasons already specified, and for others that might be urged, I think it absolutely necessary that we go at once thus to the root of the matter. If we would lessen the number of our ragged, industrial, and reformatory institutions, and secure a general diffusion of instruction, with such a press as we have, and a Government constituted like ours, we have little to fear from abuses or despotism.

Obstacles to a National System of Education in Scotland. By the Rev. JAMES BEGG, D.D., *Edinburgh.*

IN one sense, a national system of education exists in Scotland. A public school is placed by law, and has existed for a long period, in every rural parish, and thus a measure of education has been generally diffused amongst the Scotch people, which has enabled them to rise high and maintain their ground amongst the nations of the earth. This system, however, although most creditable to the Scotch reformers by whom it was founded, had always most serious defects, arising chiefly from the niggardly and grudging spirit in which it was supported. Knox intended a large portion of the confiscated property of the Romish Church to be devoted to this object; but the nobility, who were thirsting for the spoils of that church, treated this enlightened proposal as a 'devout imagination,' and seized almost the whole to themselves. The establishment of schools, therefore, was made upon the most parsimonious plan. The salaries and accommodation of the teachers were most inadequate,—no retiring salaries were provided for incapacitated teachers,—no suitable arrangements were made for the case of overgrown parishes,—and the system was never made applicable to urban districts. Still, with all these drawbacks, perhaps there never was a stronger illustration of the great value of a national system of education than may be fairly derived from the case of Scotland.

A new difficulty, however, has now arisen in extending and adapting the system to the state of Scotland as it at present exists. The parochial schools are under the control of the ecclesiastical establishment, and all who are not members of the Established Church are excluded from the office of teacher. In a country like Scotland, where such a proportion of the population are now Dissenters, such a restriction is alike unjust and impolitic. It prevents the schools from obtaining a choice of all classes of successful teachers, and it prevents the national system of education from being developed to meet the wants of a growing population. Were this immense obstruction removed out of the way, there is nothing in the original constitution of the parish schools to prevent their being extended over the entire kingdom. There is no more real difficulty in this than there has

been found to be in adapting the universities of Scotland to the altered state of the nation, by severing, as has been done, their exclusive connexion with the Established Church. It is not meant that no other alteration would be found necessary; but this is an essential preliminary to any hopeful scheme of improvement; and if an enlightened statesman would make this simple change, other needful alterations would follow as a matter of course.

No doubt, to any such proper national system a considerable number of objections would be raised. An outcry about the supposed danger to religion would be raised in certain quarters, when all that would be meant would simply be to defend an unfair and impolitic monopoly. This cry would also be caught up by some who regard the existing deadlock with complacency, as a tolerable guarantee against any additional impost for educational purposes. A certain sectarianism will also be found existing in a few quarters amongst Free Churchmen and other Dissenters, which might deprecate any prospect of educational comprehension. A comparatively small number might also oppose all improvement, upon the ground that all national systems of education are wrong, and unnecessary, and that any existing lack is being supplied by voluntary effort. If this latter statement were true, it would be of much weight; but it is not. Immense sums are, no doubt, being expended both by the State and by private individuals; but this is not done in accordance with any system; and accordingly, whilst some districts are torn to pieces with sectarian educational competitions, others are totally neglected, and these by far the most destitute. The effect of the present desultory system of educational effort, aided by Privy Council grants, can never be to overtake the educational destitution of the country; whilst, both on the ground of expense and principle, that system may be expected speedily to come to an end. Even as it is, giving all credit for much good intention, the struggle seems to be far stronger in the direction of mere sectarian advancement than on behalf of the education of the people at large.

The statesmen of this country must sooner or later face the question of popular education, and many of the recent make-shift plans are only raising up additional obstacles in the way of its solution. A proper solution of that question would go far to solve many of our other social problems, and is loudly called for, besides, upon its own merits. And we do not know any easier way of initiating the solution of the question than by a judicious reformation and adaptation of the Scotch system of parochial education to the altered circumstances of that country. The introduction of no new principle is necessary; for the system already exists, and is substantially approved of by all classes of the community. Even the religious question need create no alarm, inasmuch as by the present system the books taught are left to the local parties; and it has long been an understood principle in Scotland, that whatever is taught in the school is not made compulsory, any parent being at liberty to prevent his child from being instructed in any branch of it. What is wanted, therefore, is simply

a statesman with sense and energy enough to cut the present knot of sectarian difficulty by the broad axe of legislation, heedless of the clamour of sects; and we have no doubt that the great mass of the schools of Scotland would soon be willingly incorporated in one wholesome and harmonious scheme, by which the blessings of a sound education might again be made to reach the entire population, the *status* of the teachers greatly elevated, and an example given to the other sections of the empire. The two objects to be mainly aimed at are, that no child in the kingdom should be suffered to grow up without receiving the elements of a common education, and that this education should be placed under efficient popular control. The Christian principle of the country will accomplish the rest.

Hints on some Prevailing Errors in the Educational Training of the Working Classes. By Professor Pillans.

It is now generally admitted that in a free and highly manufacturing country like England, where there is a constant demand for young hands and for labour of all kinds, it is vain to contend, either by legislative enactment or private benevolence, against the natural desire of the lower classes, who live from hand to mouth, to have recourse to their children's labour as soon as they can make it available to add to their own earnings; and that, consequently, a great portion—perhaps one might say, a vast majority—of the children of those classes are withdrawn from school at or before the age of ten. But instead of lamenting over this as a great and unavoidable evil, and devising impracticable schemes for retaining the children of the masses in school till they be *twelve* or *fourteen* years old, would it not be wiser to bethink ourselves whether, by improving the methods of teaching and training, and by husbanding the disposable time, we may not find that time, brief as it is, amply sufficient to imbue these young minds with all the feelings, habits, and attainments which are required to fit them for that sphere of action in which they are destined to move? That this is an object attainable within the compass of the first nine years of a child's life, I am myself fully convinced; and that I may have a chance of carrying the same conviction to the mind of others, I shall throw out a few hints on some of what I conceive to be prevailing errors in the educational training of the young—errors by the removal of which, and the substitution of a better practice, much time would be saved, and much annoyance avoided; and the children would start in life better equipped for its duties and enjoyments than those generally are at present who remain at school to the age of twelve or fourteen.

It is right to premise, that whatever may be said in defence of a stern and hardening discipline for the youth of the wealthy and the

noble, there can be no difference of opinion in the case of the poor, as to the desirableness of surrounding with agreeable associations their entrance to knowledge—of filling with pleasing recollections of their early studies the minds of those who are to be absorbed, ere long, into the mighty machine of manufacturing and agricultural industry, where, without such prepossessions, they are not unlikely to forget what they learned at school; to lose even the power as well as the inclination to read, and be tempted to devote the few fragments of leisure they have to low and debasing pursuits.

Following out this view, and beginning with the first step the child takes in scholastic discipline, I would point out, as one of the errors requiring correction, the universal practice of compelling the child, at the very outset, to learn by heart and repeat trippingly on the tongue the six-and-twenty letters in the English alphabet. Now, as these letters are, in fact, huddled together as if they had been thrown at random from a dice-box, with no aid to recollection but juxtaposition, it is always found a difficult and painful task to ordinary minds of tender age to master them—so painful, as often to engender an aversion to the business of school which is not easily got rid of. What we want the child to learn is, not the established sequence of the letters, which is quite arbitrary, but the name, the form, and the power of each individual character. Now, this can be effected by bringing other faculties into play besides memory. With the help of a bit of chalk and a black board for the *eye*, the teacher's voice for the *ear*, and the imitative instincts of the ζωον μιμητικον, it is possible to give the child the command of the primary elements of human speech in an incredibly short space of time.

To accomplish the mastery of the alphabetical sounds and characters, which is the outfit of the child for his voyage of discovery, we have only to arrange the letters in sets, according to the organs of voice with which they are pronounced. To begin with the consonants—the first brotherhood will consist of those letters to which utterance is given by the lips, and on that account to be known to the child by the name of 'lip-sounds.' These are *p*, *b*, *f*, *v*, *m*, pronounced *ip*, *ib* (their aspirates, *if*, *iv*, and the nasal *m*). These five being chalked on the board, let the eye of the child be directed first to the *p* on the board, that its form may be imprinted on the memory; then to the lips of the teacher as he gives utterance to the sound, *ip*, so that thus articulated it may reach the ear—the boy being invited at the same time to place his lips in the same position, and give out the same sound. And a similar process being followed with the other four, the form and sound of these *five* characters will soon be linked indissolubly in the child's memory by the use of the lips.

The boy is next invited to mark the movements of the tongue on the palate. From the great flexibility of that organ, he is soon taught to find that, by an appeal to his own consciousness, a still greater number of consonants can be ranged under the head of 'tip of the tongue' sounds. First we have the *it* and the *id*, with their aspirates *ith* and *ith* (for both of which we are, unfortunately, without a *single* charac-

ter), and the nasal *n*, corresponding to the nasal *m* of the lips. We have also *l*, *r*, *s*, *z*, and the aspirates of the two last—for which we have no separate symbol—*sh* and *zh*. Thus we have a group of seven* consonants associated by the common property of being all fashioned, as it were, on the anvil of the palate by the tip of the tongue, which acts as the hammer.

Retiring further back in the mouth, we teach the child to apply the *root* of the tongue to the palate, and thus give him possession of the form and sound of *k* and *g*—*ik* and *ig*, at least—though we cannot go further for want of single characters for the aspirates of these letters and the nasal *ng*.

In this way we give, in a manner that diverts instead of annoying the child, the complete possession of *fourteen* out of *eighteen* consonantal characters; and but for the defects and redundances of our alphabet, the number, as I conceive it to be, of a perfect philosophical alphabet would be comprised in the threefold subdivisions and beautiful analogies of *lip-sounds*, *tip o' the tongue sounds*, and *root o' the tongue sounds*, which may be technically called labials, linguo-palatals, and gutturals. Even with regard to the vowels of our alphabet, the list of which abounds still more in anomalies and incongruities, the method I have recommended of teaching at once by the eye and ear may be applied with advantage. The only characters in the English list of vowels which represent simple elements of sound are *a*, *e*, *o*, and the configuration of the lips required in pronouncing these makes it possible to treat them in the same way as the consonants. The anomalies in both cases must be the subject of separate teaching.

Thus, without the risk of tiring, vexing, and disgusting the infant mind, but, on the contrary, with the certainty of interesting, amusing, and delighting it, we give possession of the letters without compelling the child to cross the *pons asinorum* of beginners, the A B C!

Before quitting the subject of alphabet drilling, I am tempted to throw out two hints to practical teachers, which I propose to them as queries rather than precepts. The one is, whether it would not be better to revert to the custom of our great grandmothers, of *pre*fixing, instead of *af*fixing the vowel which is necessary to bring out the sound of many of the consonants—*i.e.*, to convey to the child's ear the power of the letters, by saying *ip*, *ib*, *it*, *id*, *ik*, *ig*, rather than *pee*, *bee*, *tee*, *kay*, and *gee*—seeing that the force and significance of the letters are thus more strongly felt and more deeply impressed when the voice rests finally upon its proper sound rather than on *ee*?

Secondly, I propose it as a query whether it were not better to bring in as an accessory the syllabic method of teaching—to make a list, *e.g.*, of monosyllabic words to be chalked on the board, and directing them to be sounded at once without decomposing them into letters. We should thus save the child the very puzzling and mis-

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* *t*, *d* (*θ*), *n*, *l*, *r*, *s*, *z* (*sh* and *zh*). For a clearer view of these alphabetic brotherhoods, see note on a philosophical alphabet in 'Contributions to the Cause of Education,' Longmans, 1856.

leading preliminary process, when he spells out the word *gig*, of saying *gee-ai-gee*, before he says *gig*, or prefacing the pronunciation of *jug* with *ja-u-gee*.

The working man's child being provided, in the compendious manner above described, with the raw material of all written and printed discourse, the next step is to enable him to make a ready and dexterous use of these loose materials—to build them up, as it were, into words and sentences. To a mind so drilled, this will be neither a long nor an irksome task. For a while, no doubt, his attention will be so engrossed with telling off the letters which compose the words, and in giving them utterance continuously, that he will have little or none to give to the sense of what he reads. As soon, however, as he can dispense with the spelling process, and can read forward uninterruptedly, and with some fluency, it will be time to insist on his carrying the sense of what he reads along with the sound. At this stage, the judgment of the teacher must be shown in selecting such readings as the child can be enabled with explanation fully to comprehend. It should ever be borne in mind that the grand object at this stage is to train to their appropriate exercise the three nobler senses—sight, through its organ, the eye; hearing, through its organ, the ear; and touch, through its finest organ, the finger. To carry the child into abstract subjects, where little or no appeal can be made to one or more of these senses, is to stunt rather than to nourish the budding intellect. Descriptions of external objects, of common things and localities, which the pupil can verify by his own observation; simple stories or narratives, which his own limited experience enables him to follow and to realize to himself; lessons, in short, which create a deep interest, or inculcate a good rule of conduct—these should form the staple of his daily readings. If this rule be strictly adhered to, the pupil will be adding largely every day to his stock of knowledge, and—what is more important still—to his love of it and his desire to increase it.

While these readings form the main business of his school life, the groundwork may at the same time be laid in those other branches on which the instruction is equally dependent on, and admitting of appeal to, the three senses. Such are, first notions in arithmetic, taught after the Pestalozzi fashion, by means of a frame with wooden balls, strung and moveable on iron rods; first notions in mathematics, so far as to familiarize him with the terms and figures of geometry; first notions in geography, by means of delineations on a black board of localities and countries; lessons on the distinctions of colour for the eye, and of music for the ear, the voice, and the heart.

All this elementary training ought to be given in the infant school between the ages of three and six, and the school should always be taught by one of that sex whose gentle natures and quick perceptions enable them to enter into the feelings of the very young; to anticipate their wants, to regulate their tempers, to gain their affections, to compose their little differences and quarrels, to redress their little grievances, to teach them to forgive and to love one another, and to

inculcate by precept and example the divine lessons of Christian morality.

The vast importance of infant schools in the educational training of the masses is not yet fully appreciated by the public at large. To decry and think lightly of their influence for good, as is not uncommon, even among men of thought and reflection, is one of the greatest of educational heresies; the readiest cure for which would be a visit or two to the infant-classroom of Wilderspin's daughter, at the great national schools in Dublin; or that of Miss Ross, at the Normal School, Castle Hill, Edinburgh. There is nothing, we may rest assured, on which depends more certainly the regeneration of society, and the diminution of crimes, whether of fraud or violence, among the masses, than the universal adoption and right organization of infant schools.

At or about the age of six (a little earlier or later, according to circumstances), the child trained to cleanliness, order, and the love of reading, with all his habits, prepossessions, and predilections on the side of virtue and progress, and habituated to observation and comparison, is handed over, we shall suppose, to the mild but somewhat sterner discipline of the male teacher in the model school. What is or ought to be done during the next two or three years of school attendance that can be counted on, is to carry out in a similar spirit various branches of instruction of which the foundations have been laid, with this special observance, that upon the training of the three great inlets of knowledge to greater and greater degrees of acuteness, accuracy, and extent of observation and exercise, we must still mainly rely for the gradual and healthy development of the reasoning faculty, and for those stores of information, and that ready use of it, which are to enable the boy, when launched into life, to find a way for himself, or to make one. To the neglect of this rule we may trace the prevailing errors in the educational training of the young in this higher stage of progress. In a case like the present, where there is so much of vital importance to be done in so limited a time, all subjects ought either to be ignored or postponed which deal with abstractions of the intellect, and admit of no appeal to the senses, to observation, and to experiment. I shall limit myself to the mention of two, which I think may be fairly classed among prevailing errors. The *first* is, the mistake, as I cannot but think it, of regarding the teaching of history as not only superior in importance, but entitled to priority in time to the teaching of geography. Now, the study of the latter has this decided advantage on the principles already stated, that it appeals at once to the eye and the ear; and if taught by delineations, on a black board in coloured chalks, of the physical character of a country—the line of coast, the mountains, the rivers and their basins, with a given number of remarkable towns on the river or within the basin—it takes a hold through the eye of the imagination and memory of the young, while the teacher pours through the ear facts and events memorable in history, which are heard and treasured with deep interest and with lively recollection, thus affording a good pre-

paration for the study of consecutive history, when it is thought advisable to commence it. To begin with the history of nations without such preparation is, in the first place, to lose the benefit of one of the senses; and, in the next, it is to cram the minds of children prematurely with facts and dates and events which at their age are little better than useless lumber. History has been well defined, Philosophy teaching by example; but to give the examples without the philosophy, is to reverse the order of nature. For until reason and reflection enable us to draw from history the lessons which it teaches, and to enlarge the sphere of our own experience, by being introduced to scenes in the drama of human life which occasionally elevate and encourage, but more frequently admonish and warn, and impress us with a humiliating sense of the weakness and the wickedness of former ages—till we can reap such fruits, what is history but a catalogue of the crimes and follies and miseries of our race? Of what use can it be to crowd the child's memory with the minute details of these—with dates and descriptions of battles, the exact number of the killed and wounded on both sides, the lineal descent of all the foolish kings and ferocious tyrants who have afflicted humanity, the day and year they were born and died, and the length of their disastrous reigns? There is, indeed, a way of culling the flowers of history which might agreeably and profitably follow geographical preparation, before the close of the ninth year. The bright points of man's history may be dwelt upon—the biography of great men who, by their intellectual feats, have impressed a character on the age; notices of discoveries and inventions which have improved the condition of mankind; while the dreary wastes of chronology are passed lightly over.

If history were written in this style, it would be a graceful and useful crowning of the nine years of schooling. We want books written for such schools by persons who can gauge the tendencies and capacities of the young mind, and are less ambitious of showing how much they know themselves, and so disarming the critics, than of accommodating what they give to the uses and intelligence of the pupil, and making it attractive.

Secondly, I cannot help giving a prominent place, in the catalogue of prevailing errors, to the practice, commenced too frequently even in the infant school, of forcing on young minds religious doctrines altogether beyond their power of comprehension, and thereby arresting the growth of the understanding, and inducing a habit of being satisfied with words, instead of clear ideas.

During the time of life we are now contemplating, the school teaching of religion should be limited *to impressions* such as are easily drawn from the senses already named, employed in contemplating the works of nature, and to those great truths which find an echo and response in every young bosom. To go further at so tender an age—to dwell upon the peculiar doctrines of any form of faith—to inculcate dogmas, and insist on their being committed to memory, which for centuries have been the subject of learned discussion, and have given

rise to great diversities of opinion—is not this to run counter to the fundamental principle on which we have hitherto proceeded? Is it not to violate a rule which is now considered an axiom in educational science—that in being taught to read, a child should have no lesson set which he cannot be made fully to understand?

It is upon the clergy, the accredited and paid agents in this matter, that the duty properly devolves of paying attention, in due time, to the instruction of the young of their flock in the peculiar tenets of the church to which they belong. These tenets and truths, when they are received from the lips of their pastor, not in his pulpit ministrations only, but in his parochial visitations and in Sunday evening schools, have surely a better chance of being admitted and meekly entertained than when conned and repeated by rote, under the denunciations of wrath—which failing, by corporal inflictions from the hand of the master—proceedings which account, naturally enough, for the indifference and aversion for such subjects which we too frequently meet with.

Did time permit, I might touch on many other points; but the object of this paper is sufficiently gained if I have shown that, by adopting proper methods of instruction in the infant school, and by selecting in the higher department those subjects which are likely to be at once most interesting and most useful to the boy, and most valuable as the means of cultivating his powers, the short period of school life on which alone we can depend may be found quite adequate for all the ordinary purposes of elementary education.

Notes on Popular Education in Staffordshire. By the Rev. J. P. Norris, *H.M.I.*

THE heading of this paper is intended to obviate any expectation that it will exhibit a complete account of the state of public instruction in the county to which it relates. Any such account ought to be exhaustive in its statistics, and could only be rendered by one who had visited all the schools, public or private, comprised within the limits of the province. Should Staffordshire be selected, by the Royal Commission now sitting, as one of the sample counties of England, such a report may be given to the public. My purpose, in the meantime, is limited to noting down a few observations on the general condition of its industrial population in the matter of education, suggested to me in the course of nine years' experience as school-inspector of this district.

Many circumstances combine to render Staffordshire pre-eminently interesting in this point of view.

It is at once a mining, a manufacturing, and an agricultural county. While it has long been the chief seat of the Pottery and the Iron trade, it has been distinguished during many years for the scientific cultiva-

tion of many of the estates of its landed proprietors. Enthusiastic farmers, like Lord Hatherton and the late Earl Talbot, have done for its agriculture what the genius of Watt and Wedgewood did for its manufactures. Its commercial prosperity has increased its population to such an extent that, at the present time, the average ratio of its inhabitants to its area is double that of the rest of England. England is peopled at the rate of one soul to every two acres. In Staffordshire we find, in round numbers, a population of 700,000 souls, occupying an area of 700,000 acres. Of this population, a dense group of 100,000 occupy the northern coalfield; and a still denser group of 200,000 occupy the southern coalfield. These districts, which may be respectively called the 'Potteries' and the 'Hardware' district, present to the educationalist problems of the deepest interest, and at the same time of the most serious difficulty.

The general condition of the operatives of the Hardware district, when I first entered it, was thus described in one of my Reports:

'My duties have led me to spend some portion of each of the three last years among the village towns which lie between Stourbridge and Wolverhampton. I have visited the colliers and iron-workers both at their homes and at their work, whether in the pits or at the forges, and have at the same time been careful to put myself into communication with those who seemed best to know the real condition of the people.

'I know that generalizations in these matters are for the most part untrustworthy; and with regard to other classes of operatives, I have found it difficult, and sometimes impossible, to sum up in one word their distinctive character; but in respect of the miners and iron-workers of South Staffordshire I have no such difficulty. *Improvidence* is too tame a word; it is *recklessness*. Elsewhere improvidence and sensuality exist to a lamentable extent, but qualified, and, as it were, under protest. Among the mill operatives of the cotton and silk districts, these faults are beginning to be redeemed by a thoughtful and almost reflective cast of countenance, which convinces the visitor that counteracting influences are at work. In the agricultural parts of my district, alongside of the notorious incontinency of the farm-servants, one may often observe in the improved dwellings and neatly kept gardens of the married labourer evidence that these vices are very generally giving way to sobriety and thrift in later life; but *here*, young and old, men and women, married and unmarried, are uniformly and almost avowedly self-indulgent spendthrifts. One sees this reckless character marring and vitiating the nobler traits of their nature: their gallantry in the face of danger is akin to fool-hardiness; their power of intense labour is seldom exerted except to compensate for time lost in idleness and revelry; their readiness to make 'gatherings' for their sick and maimed comrades seems only to obviate the necessity of previous saving; their very creed—and, after their sort, they are a curiously devotional people, holding frequent prayer-meetings in the pits—often degenerates into a fanatical fatalism. But it

is seen far more painfully and unmistakeably in the alternate plethora and destitution between which, from year's end to year's end, the whole population seems to oscillate. The prodigal revelry of the *reckoning night*, the drunkenness of Sunday, the refusal to work on Monday, and perhaps Tuesday; and then the wretchedness of their homes towards the latter part of the two or three weeks which intervene before the next pay-day, their children kept from school, their wives and daughters on the pit-bank, their furniture in the pawn-shop; the crowded courts and miry lanes in which they live, their houses often cracked from top to bottom by the 'crowning in' of the ground, without drainage, or ventilation, or due supply of water —such a state of things as this, co-existing with earnings which might ensure comfort and even prosperity, seems to prove that no legislation can cure the evil. The whole character of the people must be changed, and they must be taught early in life habits of forecast and self-control.

'Happily, the cause and the remedy are no less patent than the evil itself. *The cause may be found in the reckless habits of the people; the remedy is to be sought in improvement of the home and of the school.*'

I am thankful to be able to add, that in the course of the last seven or eight years a most noticeable amelioration in the condition of these people has taken place. It was only last week that the Lord-lieutenant of the county, returning from a meeting of magistrates in South Staffordshire, convened for the purpose of considering how best the disagreements between the masters and the men might be settled, mentioned the remarkable fact that the present extensive strike, unlike the strikes of past years, had been unaccompanied by a single act of violence; and when I asked to what this was to be ascribed, he said it seemed to be the unanimous opinion of the magistrates that it was due to the spread of education among the people, bringing their minds more than heretofore under the influence of public opinion, and giving them more correct views of their own interests.

In connexion with many of the great works of our manufacturers, reading-rooms have of late been established, where the principal London journals can be read. The success of these reading-rooms bears a twofold witness to the progress of education. In the first place, their amount of custom shows that the number of those who can read with ease and pleasure is largely increased; and in the second place, the way in which they have displaced a quantity of pernicious penny literature argues a more wholesome taste on the part of our reading operatives. Another fact must have struck those who have heard or read the addresses and circulars of the colliers, and that is, that amongst much that is still irrational, they point to many real evils which in previous strikes were not put prominently forward; for instance, one of their chief complaints now is, that the *butties*, or contractors, pay them their wages in public-houses, thus gratuitously throwing them in the way of a strong temptation to drink; another is, that through the intervention of the butty-system, the iron and coal-masters see so little and know so little of the men.

Along with these symptoms of improvement may be mentioned the total discontinuance of bull and bear-baiting during the last eight or ten years; the rare occurrence of fights between man and man; the great popularity of excursion trips; cheap concerts, lectures, and the revival of mechanics' institutes. It is not a mere assumption on my part that these facts are connected with the rapid extension of good schools in this district. I could produce abundant evidence of this connexion, had I space to do so.

The rapid extension of the means of popular education in the South Staffordshire Mining district appears in the fact that within this district, comprising about 200,000 people, and occupying an area of about ten miles square, there have been built in the last ten or twelve years thirty new schools, capable of accommodating about 8000 children, nearly all of them being now under certificated teachers, with apprentices, and annual grants in aid of their support from the parliamentary fund.

If we turn from the Hardware district of South Staffordshire to the Potteries, in the north of the county, the change for the better is hardly less remarkable, though much, very much, remains to be accomplished.

Those who remember the great outbreak of 1842, when the miners of the North Staffordshire coalfield rose against their employers, flooding the pits, plundering the provision shops, insulting the clergy, and hardly yielding to the superior force of the military who were called out to restore order;—those who remember what the Potteries were in those days, and witnessed last year the quiet, patient bearing of the people during a season of unexampled depression in the trade of the district, will confirm me in saying that the multiplied means of education afforded to the people during the intervening period have not failed to produce some good effects on the character of the people.

Several schools were already in active operation when I first knew the district in 1850; but they reached but few of the children, and those who attended them were little better than infants. Of 3538 children whom I found in these schools in 1852, one-half were under seven years old, and only nine per cent. were above eleven. Their average term of attendance at school was one year and eight months.

Out of ten boys' schools, having 1110 on the books, 476 had been withdrawn to work in the factories in one year. The ages of these boys, when so taken to work, were as follows:—

28 per cent. were under *seven*.
51 per cent. were above *seven* and under *ten*.
17 per cent. were above *ten* and under *thirteen*.
4 per cent. were above *thirteen*.

From eight girls' schools, having 817 on the books, 220 had been taken to work in the factories in one year at the following ages:—

15 per cent. were under *seven*.
80 per cent. were above *seven* and under *thirteen*.
5 per cent. were above *thirteen*.

One school was reported to me as having turned over its stock of children four times in two years and a quarter! In an infants' school of 200 children, only four were above six years old, and of the girls only three were above five. The mistress told me, in explanation, that at this age (five) they were generally kept at home to replace their sisters of six or seven, who then went to work!

Now, although I believe the condition of the Potteries child has been to some small extent improved; and though I have statistics to show that for some portion of them, at all events, the period of schooling has been extended to a later age; and though here, too, as in South Staffordshire, the number of elementary schools has been considerably increased—about ten new schools having been built in this district during the last twelve years, and placed under efficient teachers—yet I cannot ascribe the improved morality of the potters and miners of North Staffordshire so much to the direct action of the elementary day school as to the establishment of evening schools, adult classes, drawing schools, and reading-rooms of late years. In one parish I hear of a Working Men's Association, numbering 300 members; in another, of cheap concerts given by amateurs, and attended by many of the miners all through the winter; in connexion with the largest iron works of the district (Lord Granville's), day schools, night schools, a chaplain, services in the works, and a reading-room have been established in the last few years, and—what is still more important—residences for the operatives have been built on an excellent plan. Night schools are becoming very general, and are largely attended in the winter months, especially by the young work-people and adults. At Stoke-upon-Trent a school of practical chemistry, and laboratory, was established, with a large class of journeymen potters and apprentices, and was rapidly becoming self-supporting, when, unfortunately, the master was unexpectedly obliged to leave the neighbourhood. It was only the other day that one of the men employed in Minton's works came to me to say there was a very general wish that it might be reopened.

The most successful day school of the district is Kidsgrove. Here the children stay to a more advanced age than elsewhere, and their fees render the school almost self-supporting. Consequently, education is in this place bearing its legitimate fruits.

Not an instance can be produced of a child educated at Kidsgrove daily schools, since their formation in 1839, having been convicted as a felon.

Formerly drunkenness prevailed to a fearful extent; now it very seldom occurs that a man is fined for this vice. The workmen very generally save their money, and great numbers have built themselves good houses.

But, as I said above, the regular attendance of the children at this and a few other schools to the age of twelve or thirteen, is an exception to the general rule which obtains in both the North and the South Staffordshire districts. For the most part, the children leave to go to work at a deplorably early age. And it is to this great

evil, felt more or less throughout England, that I now wish to invite attention.

In no part of England has the evil of premature employment presented itself in a more aggravated form than in Staffordshire, and nowhere have more strenuous efforts been made to counteract it. Here, therefore, the educational problems connected with it may most profitably be studied.

No words of mine are needed to prove that the desultory attendance of children at school, and the very early age at which their schooling ceases, now form the main hindrance to national education. Time was when want of schools was our great difficulty: schools were built. Then we wanted a better class of teachers; an admirable system for the training of teachers was devised, and this need was supplied. With multiplied schools and superior teachers the annual expenditure began to exceed the resources of the voluntary system, and a larger measure of grants in aid was accorded by the Government. Meantime the nation, after making these really great efforts to provide means of education for its children, was naturally looking for results. I believe I am not wrong in saying that some four or five years ago a very general feeling of disappointment began to be felt. Crime was not diminished—a good deal of conceit seemed to be engendered—domestic servants were not improved. Weak minds here and there were losing their faith in education. Things were in this state, and the further progress of this great national work went near to be imperilled, when public opinion was most opportunely set right in the matter, and attention directed to the real cause of our slow advance. It was no longer the want of schools for children, but the want of children for schools, that was now hindering us. Schools maintained at a great cost, and capable of imparting an excellent education, were found to be filled with mere infants, constantly coming and going, and altogether withdrawn long before any real impression could be made upon their minds or characters. This discovery of the real difficulty, and this conversion and concentration of public attention upon what had come to be the really important issue, were due, I believe, in a very large measure, to the reports of the Inspectors of schools. Without any preconcerted purpose they echoed from all parts of England the teachers' complaint, that while the children came so irregularly, and left so prematurely, little or nothing worthy the name of education could be effected. In the Education Conference held in London, under the Prince Consort's auspices, last year, the new problem thus raised found still more public expression. People inquired anxiously what measures had been taken to counteract the evil, and what success had attended them. Among other things, attention was called to the Prize schemes and the Registration scheme of Staffordshire. Both had been devised with a view to securing a more regular attendance of children at school, and both had been in a certain measure successful. In papers read before that Conference,

which have since been published, and in a series of special reports to the Committee of Council, these schemes, in their origin and operation, have been so fully described, that I need not here do more than state a very few facts concerning them.

In 1852 it appeared that Staffordshire was suffering more than any other county in England from the early removal of school children to work. Attention being called to this by Mr. Tremenheere in the South, and myself in the North—Prize-schemes were established in both parts of the county, supported by the liberality of the iron and coal-masters and great manufacturers, whose annual subscriptions for this purpose soon reached a sum of nearly 500*l.* None are allowed to compete for these prizes unless they are eleven years old or upwards, have been at least two years in regular attendance at school, and can produce certificates of good conduct. Candidates thus qualified are examined collectively by me each year, and those who reach a certain standard of marks receive a quarto Bible in their first year of competition, and 3*l.* in subsequent years. After completing their fifteenth year, those who won prizes while at school may return to my examinations, and, if the testimonials from their employers are satisfactory, may compete for a higher prize. Thus a career of merit is opened to them, and encouragement held out to continuance of study after leaving school.

The success of the Prize-schemes, now in their sixth year of trial, may be stated under the following heads :—

1. The number of candidates has gone on steadily increasing.

2. The average age of the candidates has risen from eleven years and six months to thirteen years; and that of the first class in the several schools from nine years and three months to ten years and nine months.

3. Their attainments have advanced no less uniformly and satisfactorily, especially in the boys' arithmetic and in the girls' needle-work.

4. The attendance at school has been more regular.

5. The teachers have been encouraged and stimulated.

6. The parents have discovered for the first time that the great employers of labour take an interest in their children's education.

In one respect, and one only, have the results disappointed us. Not much more than one-fourth—certainly not more than one-third—of the prizes are won by those for whose benefit they were specially intended, the children of the colliers and ironworkers.

Now, although one rejoices in having prolonged the schooling of the child of the small tradesman or the skilled mechanic, and though it might be maintained, I think, that the sound education of this class, who have the suffrage, is even more important than that of the class below them, yet it was for the class below them that the Prize-scheme was chiefly intended; and I for one shall not be content until the scheme has been so modified as to reach them. The modification which I have to propose is the following :—

That children of *miners* be admitted to compete for the Bible at ten years old instead of eleven, the standard of attainment required of them being proportionately lowered; and that boys employed in

mines or ironworks be admitted to compete for the after-prize at fourteen instead of fifteen.

Our failure to reach the children of the mining class thus far is an instructive failure. We cannot induce them to remain at school over their eleventh year, but we may perhaps induce a more regular attendance under this age; and we may perhaps, by an extension of the *after-prize* part of our scheme, encourage them to make a better use than heretofore of such leisure time as the intervals of work may allow them. And it is to be remembered that the work of a collier is by no means so continuous as that of the spinner, or weaver, or potter. The collier seldom works more than four, or at most five, days in the week; and his earnings being large, he can well afford the expense of a night school or mechanics' institute. If the colliers were found unwilling to attend the better-dressed classes of a mechanics' institute, 'Colliers' Institutes' might perhaps be organized, with special classes for Monday, the leisure day of the Staffordshire colliers and ironworkers. The after-prize offered by these prize scheme associations would find many more competitors if such Monday classes could be made general; and in this way the operation of our prize schemes might be invigorated in the one point in which they have thus far fallen short of success.

I now come to the other experiment which is being tried in Staffordshire, with a view to induce a better attendance of children at our schools—I mean the Registration scheme.

This originated in a wish to extend to the rest of the county the sort of stimulus afforded to the mining and manufacturing districts by the Prize-schemes. Money prizes over this wide area were out of the question, but an issue of testimonial cards seemed to be quite practicable.

The scheme may be very briefly described, its chief characteristic being its extreme simplicity.

Canon Hutchinson, Mr. Hand (the Deputy Clerk of the Peace), and myself have undertaken the registration of such school children as can show that they have been at least two years in regular attendance at some school since their ninth birthday. The children need not belong to any particular class of schools. Their names may be sent in to the clerical registrar, or to the lay registrar, as the school managers may choose. On the receipt of their names, certificates of their registration are forwarded to the children. Each additional half-year that a child continues in regular attendance at school, entitles him to an additional card. As a testimonial, the cards will thus go on accumulating value. In fixing *eleven* as the age at which children should first become eligible for registration, we were guided by the consideration that to raise our standard much above the actual standard of school age would ensure our failure. If we wish to be in a position to go into the labour-market, and say to the employers of labour, 'Here is our registered article; we ask you to give it the preference over that which is not registered,' we must take care that our supply is in some measure commensurate with their demand.

Our object, therefore, is to get a large number of children regis-

tered as rapidly as possible. Under protest, therefore, and as a concession to the existing state of things, we have allowed them to be registered at this very early age. Considering how very young the children are, and how irregularly they attend in most of our schools, and remembering that it must take some time to make our plan generally known and understood, I confess that the number already registered exceeds my expectation. The number of schools that have sent in names is about 150; the total number of children registered is 2240; and of these a large proportion have continued to attend school for the sake of receiving cards attesting a yet longer attendance.

The success of the experiment so far seems to be mainly due to its extreme simplicity. We resolved to make the card simply and merely attest the one fact of regular attendance for a certain period. It was judged that to make it embrace considerations of conduct or attainment, would complicate the scheme, and render it liable to abuse and consequent discredit.

I rejoice to be able to add, that nearly all the principal employers of labour in the county have signed a declaration that they mean to recognise these cards as testimonials, and to instruct their agents to ask all children applying to them for employment whether they can produce their certificates of registration.

A printed copy of this declaration, with the names of those who have signed it, from the Duke of Sutherland down to the wholesale grocer of the country town, is hung up in the several schools. And thus an effort is being made in Staffordshire to effect by the voluntary system that which many are calling upon the Legislature to make compulsory—the postponement of juvenile labour until a certain amount of schooling has been secured.

In concluding this notice of the Prize-schemes and the Registration scheme of Staffordshire, I am anxious to say distinctly what I have said from the first, that I cannot look upon them as permanent institutions, or as adequate, on their present footing, to counteract the evil against which they are directed.

They have been started and sustained by a strong wish on the part of several people in Staffordshire to attack the evil, and see what could be done by voluntary effort and individual exertion, pending the establishment of more permanent and effectual measures.

I know, from personal intercourse, that many of the leading manufacturers, both in the Potteries and in the Iron district, desire some legislative enactment for these districts analogous to that which has been applied to the employment of children in the textile manufactures of the north.

It has been proposed by some to apply the principle of the Factory Act, requiring that young children shall only be employed in relays, attending school half their time.

It has been proposed by others, that the principle of the Printworks Act should be rather adopted, making an attendance at school of 150 hours (or thirty days) in each half-year a necessary condition of employment.

After a very careful inquiry, I have no hesitation in saying, that neither of these laws would be applicable to the manufacturing districts of Staffordshire.

The first would be simply impracticable, owing to the very limited supply of hands and the nature of the work. The second, in an educational point of view, would be worse than useless. Such a desultory and capricious attendance at school as it sanctions is not only worthless to the child, but most hurtful to the efficiency of the school.

I am acquainted with several schools in Cheshire frequented by printworks children. The masters uniformly complain to me that their attendance is useless to themselves, and injurious to the school.

It remains that some third plan should be proposed, free from the objections attaching to the Factory or Printworks Act.

I believe such a measure may be found suggested in the registration scheme now at work, and accepted in Staffordshire.

Why should not all schools grant such certificates of schooling, to be signed by the teacher, and countersigned by some competent authority, such as a magistrate?—and why should not the inspectors of mines be instructed to require all children employed in mines to produce these certificates?

The extension of such a law to the Potteries and Ironworks would involve the appointment of inspectors of these manufactories; and how far such inspection would be feasible, I am not competent to say. But in the case of mines—being already under inspection—I see no difficulty. The measure seems to be recommended by its extreme simplicity, and by the fact of its having been already tried, and found, so far as it has been voluntarily adopted, to answer in Staffordshire. One of those who assisted me most in carrying the scheme into operation in the South Mining district, was himself an iron and coal-master. He brought it before other masters at their quarterly meeting, and found very few disposed to object to it.

If I am asked how far I consider Prize-schemes a permanent institution, I answer that I cannot expect them to take a permanent place among our educational institutions until they are supported by endowments. In comparing our system of elementary education with the system of higher education carried on in our grammar schools and universities, the very first thing that strikes us is that the latter is largely endowed with prize funds, while the former is almost entirely without such attractions. Why the child of a poor man should be expected to value learning for its own sake purely, while for the son of the rich man it is accompanied with every sort of allurement in the way of prizes, exhibitions, and fellowships, it is not easy to understand. The Charity Commission now sitting in St. James's Square could not render a greater service to popular education than by converting the bread charities, clothing charities, apprenticing charities, &c., into permanent prize bursaries for, or exhibitions in connexion with, schools properly and permanently constituted, under regulations wisely and carefully drawn up by persons competent

to advise in such matters. For it cannot be too carefully remembered that prizes inefficiently or unwisely administered may be productive of far more harm than good.

I must now bring this paper to a close. I have endeavoured to show how, in Staffordshire, we have had most strikingly exemplified those hindrances to education which are being more or less felt throughout England; I have pointed out the way in which voluntary effort has been directed against them in this county, and with what measure of success this effort has been attended; from our Prize-schemes I have drawn a suggestion for the application of some of our charitable endowments to this purpose; and in our Registration scheme I think I see the germ of a practicable and effectual measure for securing a larger amount of education to our colliery children.

On the whole, the progress made in the last ten years has been steadily sustained, and far exceeds what even sanguine people expected. But looking generally at the county, the main result of the survey must still be a conviction that though much has been done, far more remains to be done. Considering how many schools are still inefficient, and how in the best schools the majority of the children leave before reaching the first class, I fear I should be rather over than under the mark if I said that even one-fifth or one-sixth part of the children of the county are being reached by our improved system of education. This fifth or sixth part are our future 10*l.* householders, and we can scarcely estimate too highly the benefit our national schools are conferring on this class. But the children of the class below still need to be protected from the competition of the labour-market, and the children of the lowest class almost entirely escape us. While this is so, I need hardly say that it is in vain to expect much improvement in our criminal statistics. We are slowly, and I think surely, working down towards the crime-breeding stratum of society, but we have not yet reached it. It is a premature and false conclusion, that education is not the true remedy for crime; our criminal classes have never yet come within her influence. Once let her light be fairly brought to bear upon the dark haunts of our crowded population, and here, too, she will assuredly fulfil the purpose which Milton so magnificently assigns to her—the purpose of 'repairing the ruins of our first parents by regaining to know God aright, and out of that knowledge to love Him, to imitate Him, to be like Him.'

'*District*' *and* '*Industrial*' *Schools.* By Jelinger C. Symons, *Barrister-at-Law, H.M.I.*

I hold it to be a great mistake to rear or treat any child, however destitute, as a pauper. The cardinal principle of our poor-laws nowise applies to them. The adult pauper may be justly placed at a

disadvantage compared with the rest of society: the pauper child cannot. The one has failed to establish his independence by his labour: the other has never had the means of doing it. The one has lapsed into destitution, and has necessarily or wilfully incurred the stigma of eleemosynary maintenance, and the stigma is requisite, to prevent that abuse of public charity of which adults can alone be guilty; for no child pauperizes himself. The sloth and sins which beget voluntary pauperism are those of a maturer age; the stigma, therefore, which the workhouse affixes on its inmates is wrongfully branded on the child.

Workhouses and the whole system of their organization are alien to the proper treatment and training of the young. It is the first effort of all parental moral discipline to keep contamination from children: it is the necessary effect of a workhouse home to put them in its way. I care not how perfect the classification of the house,—there are times and seasons with unavoidable opportunities of converse or communication, by sight or sound, between depraved adults and the younger inmates. The temptations, however, to employ both boys and girls in many of the domestic offices of the establishment are such as in most cases unavoidably result in more or less direct intercourse between them and some portion of the adults. The practice, for instance, of allowing the elder girls to nurse the infants, wherever it obtains, brings a class remarkably susceptible of corruption into immediate contact with another class of all others most likely to corrupt them—I mean the inmates of the adult female wards, which are seldom free from the presence of the mothers of illegitimate children.

It thus happens that one of the best facilities for the useful training of girls in workhouses is coupled with their chief liability to be corrupted; and that industrial discipline which lies at the root of the cure of hereditary pauperism, is tainted with the germs of a still more deadly moral disease.

The school teaching is the best part of the whole discipline for children in the majority of the workhouses, when no habitual and well-administered system of useful bodily labour is organized. This teaching is, I believe, generally effectually given, and sensibly adapted to the working-class wants of the future lives of the children. The peculiar power given to the teacher over scholars, who live continually under his care and oversight, and the influence which the inspector exercises over the teacher, have united in producing a more complete and practical course of instruction in these workhouse schools than is usually found in those of the children of independent parents; and I may instance the invariable falling off, both in mental and moral *status*, of those pauper children who occasionally cease to be instructed in the workhouse, and are sent instead to some outdoor common school,—an experiment which never works well.

In many cases the Boards of Guardians have organized very effectual industrial training, usually consisting of farm gardens, like that excellent one at Quatt, due to the energy and good sense of the

late Mr. Wolrych Whitmore, who gave so persevering and noble an example of what may be effected by child-labour conjoined with school teaching; and I prophesy that many a day after the name of its chief promoter has faded from the memory of future generations, that admirable system will scatter far and wide the fruits of which he sowed the seeds, and render Education that great reality we have hitherto failed to make it.

The chief requisites for the conversion of the pauper child into the honest, healthy, and independent labourer, consist solely of that practically religious and secular instruction, and systematic industrial training, for which the workhouse affords no single advantage over a properly organized farm school, apart and wholly disconnected from it; whilst the whole atmosphere, and every concomitant of a workhouse, operate like a canker upon moral character, and a continual counteraction of moral discipline.

Such are, with one exception, the main grounds upon which the Legislature has long wisely offered facilities for the entire removal of all destitute children from workhouse life into district schools specially established for their reception, and organized for their moral, industrial, and mental treatment.

The statutes 7 and 8 Vic. c. 101, and 11 and 12 Vic. c. 82, give ample means and powers to Boards of Guardians to coalesce and form such schools for groups of Unions. There is no kind of necessity that they should be costly or expensively maintained. Such buildings may be either rented or built for the purpose. A calculation was very carefully made of the additional expense which would be entailed upon seven Unions in Gloucestershire by the building of a district school, with all requisite out-offices and farm buildings, together with the rental of thirty acres of land, and including every other expense beyond that already incurred in the several workhouses for the maintenance and instruction of the same number of children, amounting to four hundred, and it was found that the total amount of such extra cost, after allowing at a low estimate for the produce of the children's labour, at 15*s.* per annum each, or 300*l.*, amounted to one-third of a penny in the pound upon the rateable value of property in the seven Unions—a sum which would be still reduced after twenty years, when the money borrowed for the building had been repaid. The whole of this calculation in detail, and the best suggestions which I could collect from well-informed persons how to organize the establishment, with the plan of a building, were printed by the Committee of Council in 1850, and I should be glad to furnish a copy of that pamphlet to any one who seriously desired to set about the promotion of such an institution. I should, however, recommend that the experiment should be made on a much more limited scale.

I am sorry to say that, except in the metropolitan district, where these schools have been established, and are most successful, almost every effort to induce Boards of Guardians to adopt them in the provinces has hitherto failed, and I believe will continue to fail so

long as their adoption is voluntary, and the greater intelligence and foresight of the minority is at the mercy of the purblind and mistaken economy of those to whom the Legislature has left the power of overriding all reason and experience on the subject.

This subject has been so thoroughly discussed in all its bearings—first, in the admirable volume of joint Reports by Sir James Kay Shuttleworth and my highly-esteemed colleague Mr. Tufnell, published by the Poor-law Board in 1841, and subsequently in ten annual Reports by my colleagues and myself—that I should misuse your time were I to enter further upon the matter than to urge the very great importance of bringing it at length to a practical issue.

In addition to the obvious injustice of treating a child as a pauper at all, and of not giving him a fair start in life with other children, it is essential to the pecuniary interest of society, to prevent the future lapse of the destitute child. He is in many cases under an hereditary taint and temperament predisposing him to pauperism. I know of instances where four generations have been successively chargeable on the poor-rates. Children of such lineage are curable only by a special process of treatment; and the district school is just as requisite to their case as the hospital is to the cure of those whose necessities arise from bodily disease. But in all cases how obviously important it is that children should hereafter regard a workhouse with at least as much repugnance as do the independent labourers who have never been within its walls; instead of which we familiarize them with it as a home—associate its comparative comforts with the *status* of pauperism, and often with the absence of exertion, thus effectually removing all shame or aversion to return to it in after-life, in all stages of which its doors remain open for their reception. This powerful inducement to future pauperism is wholly obviated by sending destitute children at once to a district school. Not only would they thereby escape the stigma of the workhouse, and be habituated to bodily labour as the rule of life, but the salutary horror of the workhouse would incite them as much as other labourers to battle with adversities, and maintain their independence.

I should mention, that by the provisions of these and subsequent statutes, the Guardians of Unions not in combination may send indoor or outdoor pauper children to these district schools, provided the managers consent to receive them.

In immediate connexion with this special provision for pauper children, I am desirous of directing your attention to the admirable provision made by Mr. Adderley's Act (20 and 21 Vic. c. 48) for the germane purpose of giving similar training to the 'vagrant destitute and disorderly children' between the ages of seven and fourteen; a designation which embraces that large and dangerous class of uncared-for, lawless children, the denizens of our alleys and lanes, who are hovering on the verge of workhouse or prison, and whom the Act empowers magistrates to commit summarily to these new schools after they are certified by the Committee of Council. Section 21

moreover empowers Guardians of Unions, subject to the consent of the Poor-law Board, to send, and the managers of these industrial schools to receive, pauper children. Thus these schools might, where it was not possible to establish a district school, be made in some measure auxiliary to the same object; for a great number of the pauper children are of a cognate and often of the same class with the vagrants indicated by Mr. Adderley's Act. That measure is, however, only permissive, and does not provide grants for the building, rent, or other expenses of the establishment; but the Minute of Council dated 31st December, 1857, supplies this defect, and very liberally offers grants for these purposes. They provide—

'That grants for building ragged schools be made on the usual terms, so long as they provide for daily instruction only, or for daily instruction in a measure greatly beyond the accommodation for lodging, which latter must not be enough to characterize the buildings as other than those for a daily school.

'Grants for building schools intended to be certified under the Industrial Schools Act will also be made, on the usual terms as regards the previous approval of plans, specifications, estimates, title, and conveyance in trust, and at a rate not exceeding half the approved expenditure, nor 30*l.* per bed for which proper space is provided.

'Grants will be made for building (instead of an allowance for rent) in those cases only where the permanent provision of premises appears to be thoroughly adequate, and where circumstances in all respects are favourable to the undertaking.'

Where the building is rented, a grant may be obtained of one-half the rent of that part in which industrial training is carried on.

In addition to the above, the following aid is offered towards the carrying on of the establishment:—

One-third of the cost of tools and of raw material for labour;

Five shillings per annum per industrial scholar, according to the average number under industrial instruction throughout the year preceding the date of inspection;

The ordinary rate for the purchase of books, maps, and apparatus;

The ordinary rate in augmentation of any certificated teacher's salary.

In addition to the foregoing forms of aid,—

(*a.*) The sum of 5*l.* for every child received during the year preceding the date of inspection into the establishment, under an order of the justices for its permanent detention, or who shall have been detained therein under such an order throughout the whole of the same year.

(*b.*) The sum of 40*l.*, or, in the case of females, 27*l.*, in respect of every person boarded, lodged, and trained as a teacher therein during the year preceding the date of inspection, on the following conditions:—

(1.) That the school contain at least forty inmates.

(2.) That her Majesty's Inspector make a favourable report upon the means of training, and upon the candidates presented by the managers for admission.

The same Minute of Council modifies but maintains aid also to Ragged Schools, though that aid is very properly more limited; for it is not advisable to multiply subdivisions of the class of children to be dealt with. The distinction between the proper inmates of Ragged Schools and those for whom Mr. Adderley's Act is designed is nominal rather than real. Many of the children now taught in Ragged Schools might, by proper urging, be sent by their friends to the common schools; and it is very desirable that the remainder, who are unfit for such schools, should have the special training of the Industrial Schools. Thus, an intermediate class of institution is not greatly needed, and ought to merge partly into the class above and partly into the class below it.

I have thought it best thus to present to you, in one paper, a view of the entire provision made by the legislature and the Government for enabling the philanthropy and political good sense of the country to grapple with the well-developed evil of suffering the destitute and depraved classes of our juvenile population to feed the criminal and pauper horde without due means for their reformation. It appears to my humble judgment that such means are now amply offered, and it is for the country, and especially for the intelligence of the earnestly Christian part of the community, to make full use of them. I confess that I do not think the State can do more without infringing upon the freedom of voluntary action.

On the Relation of Ragged and Industrial Schools to the Parliamentary Grant. By Mary Carpenter.

When I had, last year, the honour of addressing the Educational Department of this Association, no distinct relation had been acknowledged by the public, or the Committee of Council on Education, between the general educational movement of this country and Ragged Schools, or Free Day Schools, for those whose extreme poverty or irregular and vagrant habits prevented them from attending the ordinary pay schools.

Ragged Schools are the only instrumentality through which this class is reached. They *have* reached it, and acted on it most successfully and advantageously, both to the public and to the children who are the objects of it, as far as they have been able to proceed unaided. The Educational Parliamentary grant is made for the general elevation of the people, and is administered so as to encourage and stimulate voluntary efforts. It is evident, then, that in no way can its help be better applied for the benefit of the whole country than in aiding to educate those who without help must remain in

ignorance; and in no department of educational effort has there been a greater devotion of time and money than in the Ragged School movement. On every ground, therefore, a very strong claim exists to a large proportion of the grant. What is the existing state of the case?

In June, 1856, a Minute was passed, offering aid to Reformatory and Ragged Schools, on such conditions as would have placed the latter on a most satisfactory footing; but a subsequent addition to it confined its operation to those schools which were solely for convicted and vagrant children, and consequently Ragged Schools were excluded from its benefits. This was the position of the question at the last meeting of this Association.

In the December following, an influential deputation, headed by Lord Shaftesbury and Sir John Pakington, waited on the President of the Council to present a memorial from the managers of Ragged Schools in various large towns of the kingdom. This memorial set forth the class of children contemplated by Ragged Schools, the inadmissibility of such children to ordinary schools, even if paid for, the success of Ragged Schools in reaching and influencing for good such children, their exclusion from the benefits of the recent Minute, and the earnest prayer of the managers that some adequate aid should be given.

The Minute of June, 1856, had fully recognised the necessity of a large and efficient educational staff for Ragged Schools, and gave half the salaries in a certain ratio, in addition to other and ordinary help. It imposed no religious or educational tests, but recognising the very different criterion to be applied to these schools, and others where simple school instruction is the sole object, offered the grants on condition—

a. That the ability and character of the schoolmaster and assistant are satisfactory.

b. That habits of obedience, cleanliness, and order, are enforced in the school.

Such assistance, on such conditions, would place Ragged Schools in a satisfactory position. The provisions in No. 6 of the same Minute of June 2nd offered also one shilling a-week for every child *fed* at the school, and not paid for by a Treasury grant. Now Ragged Schools, or free Day Schools, are not, as such, essentially feeding schools. The giving of food involves an entirely different principle. It may be questionable whether, in any case, it be desirable to administer food from an educational parliamentary grant. There are funds provided by the country for feeding those who are unable to maintain themselves. If these are not satisfactorily administered, reformation should be aimed at in the right quarter; the deficiency should not be supplied by funds granted by Parliament for a very different purpose. 'The poor ye have always with you,' said the Saviour; and there will always be particular cases calling for the exercise of individual charity; but these must be so met, and the proper application of such help can be regulated by the hand that

gives. But the existence of such a clause in the Minute originally intended to aid Ragged Schools necessarily gave an opening for considerable misapplication of public funds, and doubtless led to the restricted magisterial test which virtually excluded true Ragged Schools from the benefit of the Minute.

Another Minute was passed, December 31st, 1857, which cancelled that of June 2nd, 1856, and was expressly intended for Ragged Schools, and for Feeding Industrial Schools, established under the recent Industrial Schools' Act. We shall now proceed to examine the position in which Ragged Schools and Industrial Schools are placed by that Minute; first, however, endeavouring to discriminate between these two classes of schools, which occupy the space between ordinary pay schools, on the one hand, which are largely aided by the Committee of Council, and on the other, by pauper schools, supported by parish rates and confined to the recipients of charity, and Reformatory Schools, which are henceforth to receive public aid solely from the Treasury.

There is extreme variety in the constituent parts of the whole class of children for which they are intended, varying in every large town, and even in different parts of the same. In some, simple poverty is the cause of the want of education; in others, utter carelessness on the part of parents; in others, again, vagrant habits; in too many the drunkenness and dissipation of those who should have been the guardians of their children. But in all the effect is the same—that the children are growing up untaught in all but vice.

Now the Ragged Schools have endeavoured to gather in all the children that were willing to come and be taught. Those who conducted them felt most strongly what Lord Shaftesbury and others have so often described—that the first object to be aimed at was to bring children who are utterly neglected and uncared for under Christian influence; to civilize them; to give them some practical idea of their true position in society. This work has been so difficult, that to do it well, or rather, to effect the end intended, has required a peculiar force and devotion and power of adaptation in the master, rather than such intellectual acquirement as can be gauged by any official examination; and it has often been found impossible to bring the children in a Ragged School to exhibit any satisfactory amount of knowledge to an Inspector, while the true fruits of the school were evidenced in cleanliness and order, general good feeling, and an actual preparation of the scholars for becoming self-supporting members of society. Thus it is not to be wondered at that in the last Report of the Committee of Council an Inspector should express a wish that Ragged Schools should aim at reaching a better standard than that in which they now grovel (Rev. W. J. Kennedy's General Report for the year 1857, page 403); and that another Inspector should find fault with a master for being 'too long inured to the old modes of teaching,' though he was impressed with these hitherto wild and undisciplined children being 'teachable, and under fair discipline,' and was assured that this master had 'peculiar powers for

engaging the sympathies and confidence of the children.' The result of such influence had been that while, some ten years ago, twenty-five children were in prison, who were in attendance at this very school, and it was most common for boys from the neighbourhood to be brought before the magistrates, yet for many years no child has ever been in prison from the school, though the class of attendants remains the same; and it is most rare to hear of any from the neighbourhood being even apprehended.

Now, though all Ragged Schools ought to be industrial in their character, yet those schools have been, *par excellence*, called Industrial Schools, where, in addition, food has been given, and the children, therefore, kept on the premises the greater part of the day,—giving, thus, not schooling, but complete education. Most admirable schools of this kind have for many years existed in this town and in Manchester, which have been the means of receiving thousands, and making them self-supporting members of society. But there was a class below who would not come, preferring their wild liberty and vagrant habits. To reach such as these the hand of the law was necessary, and the Industrial Schools' Bill was prepared, to enable magistrates to send such under sentence to an Industrial School certified as fit for the purpose by the Committee of Council on Education, the managers undertaking to lodge, as well as clothe and feed, such children as might require it.

Now, it is evident, that to give the common Ragged or Free Day Schools and Industrial Schools any reasonable chance of rising above the 'grovelling' condition which is justly complained of by the Inspector, and to enable them to accomplish the very difficult task of grappling not only with ignorance of book-learning, but with idleness, irregularity, dirt, and all the necessary concomitants of their neglected condition, an efficient staff is absolutely necessary. This their Lordships have amply provided for in the ordinary pay schools; and most wisely. The last Report states that in the year ending December 31st, 1857, they have expended in augmenting the salaries of *certificated* masters and mistresses the sum of 64,490*l.* 14*s.* 10*d.*; in paying stipends of pupil teachers and gratuities for their special instruction, 192,248*l.* 8*s.*; in paying salaries of assistant teachers, 5544*l.* 4*s.* 6*d.*; making in all, 262,283*l.* 7*s.* 4*d.*, which has been bestowed in one year, doubtless most beneficially, in aiding to give an efficient teaching power to the schools for the labouring portion of the population, and as much again has been bestowed towards the erection of schools and various other expenses. In this very town are admirable examples of large and complete series of schools with first-rate teachers, and such a staff as is ample to carry out perfect organization, while the managers contribute but a comparatively small sum, about 100*l.* for 600 children, in addition to the school pence; the remainder of the salaries of the ample staff being given by the Council. Encouragement in every way is given to aid and stimulate those whose actual position might be supposed beyond the necessity of such help, and a recent Minute promised aid even in the 'erection of rooms intended

for special instruction in drawing, mechanics, physics, chemistry, navigation, and natural history.'

But what is done for Ragged and for Industrial Schools? Half of the rent is promised, but only, as the Inspector is instructed, 'of such rooms as would not be wanted but for the Industrial work.' No help is given for a common school-room, nor for a play-ground, which is an essential element in the moral training of children, who, living in a densely populated and generally vicious neighbourhood, must otherwise in the interval between school-hours be in danger of undoing all that they have been learning.*

The ordinary allowance for tools and raw material is given, and also for the purchase of books.

A capitation for Industrial scholars of 5*s.* per annum is given, half of what was formerly given to industrial classes. Nothing is given towards the salary of the master or mistress, unless certificated, which is seldom the case; the best teachers in such schools—and I speak from an extensive acquaintance with both the Reformatory and Ragged Schools—being very rarely those who have received the peculiar intellectual training necessary to obtain a certificate.

No aid is given for assistants or for any equivalent to pupil teachers, who, as experience has shown, are not adapted to these schools, nor can any ordinary monitors taken from the school be of much value.

This is all the aid given to help to raise from the lowest depths of ignorance the class which is remaining an incubus on the more favoured children above them. And lest any doubt should remain as to the possibility of giving aid under this Minute professedly in favour of Ragged Schools, the Inspectors are officially instructed that 'no grants (except for the purchase of books and maps) will be made in aid of the purely scholastic instruction, unless a certificated teacher be employed.' That the Ragged School will be inspected as being the complement of its industrial classes, 'and yet that the school, so far as it serves for week-day instruction, must be open to inspection.'

Now, Ragged Schools are in the same circular to her Majesty's Inspector stated to be merely 'provisional institutions, which are constantly tending to be either elementary schools of the ordinary kind, or Industrial Schools certified under Act of Parliament.'

How can this class of uncivilized, untaught children, be so raised as to be able to enter the pay schools for the working classes, when no educational help is given to raise them? We know and allow that the actual scholastic condition of the Ragged Schools is very low, and so they must remain without a far larger teaching power than

* So important has such a provision appeared to managers where practicable—which it cannot always be in crowded cities—that in one case four houses were removed to enlarge the play-ground, in accordance with the wishes of H. M. Inspector, and in reliance on the accustomed grant of half the whole rent; this aid will now be withdrawn from that portion of the premises, and also from that appropriated to an infant school and to a good bath.

they now possess, or can attain, without help. To enable these schools to have a possibility of leading to elementary schools—an end certainly to be desired—a particularly large and well-adapted staff should be granted; but however much we may desire to see the necessity for Ragged Schools cease, the experience of the last years has proved that there IS, and must be, until there is a decided change in society, a class which can come under no unbending educational laws, but which can and will yield to such influence as has been thus brought to bear on them; that where intellectual power and teaching alone has no civilizing or elevating action on them, that spiritual influence which works by human means, and adapts itself to the true needs of the objects of its efforts, will prevail.

But granting that the time is to be hoped for when Ragged Schools may be no longer needed, the Certified Industrial School must be regarded as a permanent institution to lay hold of, and receive all such children as can by no other means be brought under instruction, and are growing up to be a great expense and injury to society as paupers and felons to fill our workhouses and reformatories, if not our prisons. And yet we have shown that no efficient aid is given to them. None is offered for education or lodging, but a small help for industrial training, and only 2*s.* a-week for food and clothing. Hence the Act has remained for between one and two years practically a dead letter; for while our large, and especially our sea-port, towns are swarming with wretched children who ought to be in them, few, if any, existing schools have been certified, and probably not one child has been committed under the provisions of the Act, which will remain as it has been a dead letter, unless effective means are taken to stimulate and support voluntary effort, which is only wanting the power to come forth.

The subject is of pressing importance. No one can wander through some parts of this beautiful and wealthy town and see, as I have seen, street after street, alley after alley, court after court, exhibiting utter absence of any civilizing influence, swarming with dirty half-clad children, wretched, wild and low, and see the returns of some official visitations of the homes of children in the gaol, and the training haunts of young delinquents, and study the fearful revelations of the Liverpool Police Reports, without seeing the necessity of some kind of action to arrest the growing evil which will pervade in its influence all classes. And when they turn from these soul-sickening horrors to the admirable scholastic establishments for the working and middle classes of the community, will they not exclaim and feel with intense earnestness—

'These ought ye to have done, and NOT TO LEAVE THE OTHER UNDONE.'

MISCELLANEOUS PAPERS.

Education in Art. By JOHN RUSKIN.

I WILL not attempt in this paper to enter into any general consideration of the possible influence of art on the masses of the people. The inquiry is one of great complexity, involved with that into the uses and dangers of luxury; nor have we as yet data enough to justify us in conjecturing how far the practice of art may be compatible with rude or mechanical employments. But the question, however difficult, lies in the same light as that of the uses of reading or writing; for drawing, so far as it is possible to the multitude, is mainly to be considered as a means of obtaining and communicating knowledge. He who can accurately represent the form of an object, and match its colour, has unquestionably a power of notation and description greater in most instances than that of words; and this science of notation ought to be simply regarded as that which is concerned with the record of form, just as arithmetic is concerned with the record of number. Of course abuses and dangers attend the acquirement of every power. We have all of us probably known persons who, without being able to read or write, discharged the important duties of life wisely and faithfully; as we have also without doubt known others able to read and write whose reading did little good to themselves, and whose writing little to any one else. But we do not therefore doubt the expediency of acquiring those arts, neither ought we to doubt the expediency of acquiring the art of drawing, if we admit that it may indeed become practically useful.

Nor should we long hesitate in admitting this, if we were not in the habit of considering instruction in the arts chiefly as a means of promoting what we call 'taste,' a dilettantism, and other habits of mind which, in their more modern developments in Europe, have certainly not been advantageous to nations, or indicative of worthiness in them. Nevertheless, true taste, or the instantaneous preference of the noble thing to the ignoble, is a necessary accompaniment of high worthiness in nations or men; only it is not to be acquired by seeking it as our chief object, since the first question, alike for man and for multitude, is not at all what they are to like, but what they are to do; and fortunately so, since true taste, so far as it depends on original instinct, is not equally communicable to all men; and, so far as it depends on extended comparison, is unattainable by men employed in narrow fields of life. We shall not succeed in making a peasant's opinion good evidence on the merits of Elgin and Lycian marbles; nor is it necessary to dictate to him in his garden the preference of gillyflower or of rose; yet I believe we may make art a means of giving him helpful and healthy pleasure, and of gaining for him serviceable knowledge.

Thus, in our simplest codes of school instruction, I hope some day to see local natural history assume a principal place, so that our peasant children may be taught the nature and uses of the herbs that grow in their meadows, and may take interest in observing and cherishing, rather than in hunting or killing, the harmless animals of their country. Supposing it determined that this local natural history should be taught, drawing ought to be used to fix the attention, and test, while it aided, the memory. 'Draw such and such a flower in outline, with its bell towards you. Draw it with its side towards you. Paint the spots upon it. Draw a duck's head—her foot. Now a robin's—a thrush's—now the spots upon a thrush's breast.' These are the kind of tasks which it seems to me should be set to the young peasant student. Surely the occupation would no more be thought contemptible which was thus subservient to knowledge and to compassion; and perhaps we should find in process of time that the Italian connexion of art with *diletto*, or delight, was both consistent with, and even mainly consequent upon, a pure Greek connexion of art with *arete*, or virtue.

It may perhaps be thought that the power of representing in any sufficient manner natural objects such as those above instanced would be of too difficult acquirement to be aimed at in elementary instruction. But I have had practical proof that it is not so. From workmen who had little time to spare, and that only after they were jaded by the day's labour, I have obtained, in the course of three or four months from their first taking a pencil in hand, perfectly useful, and in many respects admirable, drawings of natural objects. It is, however, necessary, in order to secure this result, that the student's aim should be absolutely restricted to the representation of visible fact. All more varied or elevated practice must be deferred until the powers of true sight and just representation are acquired in simplicity; nor, in the case of children belonging to the lower classes, does it seem to me often advisable to aim at anything more. At all events their drawing lesson should be made as recreative as possible. Undergoing due discipline of hard labour in other directions, such children should be painlessly initiated into employments calculated for the relief of toil. It is of little consequence that they should know the principles of art, but of much that their attention should be pleasurably excited. In our higher public schools, on the contrary, drawing should be taught rightly; that is to say, with due succession and security of preliminary steps, it being here of little consequence whether the student attains great or little skill, but of much that he should perceive distinctly what degree of skill he has attained, reverence that which surpasses it, and know the principles of right in what he has been able to accomplish. It is impossible to make every boy an artist or a connoisseur, but quite possible to make him understand the meaning of art in its rudiments, and to make him modest enough to forbear expressing, in after life, judgments which he has not knowledge enough to render just.

There is, however, at present this great difficulty in the way of such systematic teaching—that the public do not believe the principles of art are determinable, and in no wise matters of opinion. They do not believe that good drawing is good, and bad drawing bad, whatever any number of persons may think or declare to the contrary—that there is a right or best way of laying colours to produce a given effect, just as there is a right or best way of dyeing cloth of a given colour, and that Titian and Veronese are not merely accidentally admirable but eternally right.

The public, of course, cannot be convinced of this unity and stability of principle until clear assertion of it is made to them by painters whom they respect, and the painters whom they respect are generally too modest, and sometimes too proud, to make it. I believe the chief reason for their not having yet declared at least the fundamental laws of labour as connected with art-study is, a kind of feeling on their part that '*cela va sans dire.*' Every great painter knows so well the necessity of hard and systematized work, in order to attain even the lower degrees of skill, that he naturally supposes, if people use no diligence in drawing, they do not care to acquire the power of it, and that the toil involved in wholesome study being greater than the mass of the people have ever given, is also greater than they would ever be willing to give. Feeling, also, as every real painter feels, that his own excellence is a gift, no less than the reward of toil, perhaps slightly disliking to confess the labour it has cost him to perfect it, and wholly despairing of doing any good by the confession, he contemptuously leaves the drawing-master to do the best he can in his twelve lessons, and with courteous unkindness permits the young women of England to remain under the impression that they can learn to draw with less pains than they can learn to dance. I have had practical experience enough, however, to convince me that this treatment of the amateur student is unjust. Young girls will work with steadiest perseverance when once they understand the need of labour, and are convinced that drawing is a kind of language which may for ordinary purposes be learned as easily as French or German, but not more easily, nor on any other terms; this language also having its grammar and its pronunciation, to be conquered or acquired only by persistence in irksome exercise—an error in a form being as entirely and simply an error as a mistake in a tense, and an ill-drawn line as reprehensible as a vulgar accent.

And I attach great importance to the sound education of our younger females in art, thinking that in England the nursery and the drawing-room are perhaps the most influential of academies. We address ourselves in vain to the education of the artist while the demand for his work is uncertain or unintelligent; nor can art be considered as having any serious influence on a nation while gilded papers form the principal splendour of the reception-room, and ill-wrought though costly trinkets the principal entertainment of the boudoir.

It is surely, therefore, to be regretted that the art-education of our

Government schools is addressed so definitely to the guidance of the artisan, and is therefore so little acknowledged hitherto by the general public, especially by its upper classes. I have not acquaintance enough with the practical working of that system to venture any expression of opinion respecting its general expediency; but it is my conviction that, so far as references are involved in it to the designing of patterns capable of being produced by machinery, such references must materially diminish its utility considered as a general system of instruction.

We are still, therefore, driven to the same point—the need of an authoritative recommendation of some method of study to the public; a method determined upon by the concurrence of some of our best painters, and avowedly sanctioned by them, so as to leave no room for hesitation in its acceptance.

Nor need it be thought that, because the ultimate methods of work employed by painters vary according to the particular effects proposed by each, there would be any difficulty in obtaining their collective assent to a system of elementary precept. The facts of which it is necessary that the student should be assured in his early efforts are so simple, so few, and so well known to all able draughtsmen that, as I have just said, it would be rather doubt of the need of stating what seemed to them self-evident, than reluctance to speak authoritatively on points capable of dispute, that would stand in the way of their giving form to a code of general instruction. To take merely two instances: It will perhaps appear hardly credible that among amateur students, however far advanced in more showy accomplishments, there will not be found one in a hundred who can make an accurate drawing to scale. It is much if they can copy anything with approximate fidelity of its real size. Now, the inaccuracy of eye which prevents a student from drawing to scale is in fact nothing else than an entire want of appreciation of proportion, and therefore of composition. He who alters the relations of dimensions to each other in his copy shows that he does not enjoy those relations in the original —that is to say, that all appreciation of noble design (which is based on the most exquisite relations of magnitude) is impossible to him. To give him habits of mathematical accuracy in transference of the outline of complex form is therefore among the first, and even among the most important, means of educating his taste. A student who can fix with precision the cardinal points of a bird's wing, extended in any fixed position, and can then draw the curves of its individual plumes without measurable error, has advanced further towards a power of understanding the designs of the great masters than he could by reading many volumes of criticism, or passing many months in undisciplined examination of works of art.

Again, it will be found that among amateur students there is almost universal deficiency in the power of expressing the roundness of a surface. They frequently draw with considerable dexterity and vigour, but never attain the slightest sense of those modulations in form which can only be expressed by gradations in shade. They

leave sharp edges to their blots of colour, sharp angles in their contours of line, and conceal from themselves their incapacity of completion by redundance of subject. The assurance to such persons that no object could be rightly seen or drawn until the draughtsman had acquired the power of modulating surface by gradations wrought with some pointed instrument (whether pen, pencil, or chalk) would at once prevent much vain labour, and put an end to many errors of that worst kind which not only retard the student, but blind him; which prevent him from either attaining excellence himself or understanding it in others.

It would be easy, did time admit it, to give instances of other principles which it is equally essential that the student should know, and certain that all painters of eminence would sanction; while even those respecting which some doubt may exist in their application to consummate practice are yet perfectly determinable, so far as they are needed to guide a beginner. It may, for instance, be a question how far local colour should be treated as an element of chiaroscuro in a master's drawing of the human form. But there can be no question that it must be so treated in a boy's study of a tulip or a trout.

A still more important point would be gained if authoritative testimony of the same kind could be given to the merit and exclusive sufficiency of any series of examples of works of art such as could at once be put within the reach of masters of schools. For the modern student labours under heavy disadvantage in what at first sight might appear an assistance to him, namely, the number of examples of many different styles which surround him in galleries or museums. His mind is disturbed by the inconsistencies of various excellence, and by his own predilections for false beauties in second or third-rate works. He is thus prevented from observing any one example long enough to understand its merit, or following any one method long enough to obtain facility in its practice. It seems, therefore, very desirable that some standard of art should be fixed for all our schools—a standard which, it must be remembered, need not necessarily be the highest possible, provided only it is the rightest possible. It is not to be hoped that the student should imitate works of the most exalted merit; but much to be desired that he should be guided by those which have fewest faults.

Perhaps, therefore, the most serviceable examples which could be set before youth might be found in the studies or drawings, rather than in the pictures, of first-rate masters; and the art of photography enables us to put renderings of such studies, which for most practical purposes are as good as the originals, on the walls of every school in the kingdom. Supposing (I merely name these as examples of what I mean) the standard of manner in light-and-shade drawing fixed by Leonardo's study, No. 19, in the collection of photographs lately published from drawings in the Florence gallery; the standard of pen-drawing with a wash, fixed by Titian's sketch, No. 30 in the same collection; that of etching, fixed by Rembrandt's spotted shell; and that of point-work with the pure line, by Durer's crest with the

cock; every effort of the pupil, whatever the instrument in his hand, would infallibly tend in a right direction, and the perception of the merits of those four works, or of any others like them, once attained thoroughly by efforts, however distant or despairing, to copy portions of them, would lead securely in due time to the appreciation of other modes of excellence.

I cannot, of course, within the limits of this paper, proceed to any statement of the present requirements of the English operative as regards art education. But I do not regret this, for it seems to me very desirable that our attention should for the present be concentrated on the more immediate object of general instruction. Whatever the public demand, the artist will soon produce; and the best education which the operative can receive is the refusal of bad work and acknowledgment of good. There is no want of genius amongst us, still less of industry. The least that we do is laborious, and the worst is wonderful. But there is a want amongst us, deep and wide, of discretion in directing toil, and of delight in being led by imagination. In past time, though the masses of the nation were less informed than they are now, they were for that very reason simpler judges and happier gazers; it must be ours to substitute the gracious sympathy of the understanding for the bright gratitude of innocence. An artist can always paint well for those who are lightly pleased or wisely displeased; but he cannot paint for those who are dull in applause and false in condemnation.

Art Education; its Influence on Wages and Domestic Comfort.

By JOHN STEWART, E.E.N., *Edinburgh.*

FOUR conditions are essential to an efficient system of education—1st, a conviction that ignorance is unprofitable; 2nd, clear ideas on the kind of knowledge wanted; 3rd, school-books adapted to convey instruction; and, 4th, schoolmasters qualified for their work.

To these requisites for successful tuition art education forms no exception. Hitherto that has been taught in 'academies' to artists, and in schools of design to those engaged in art manufacture. These are useful in their places, but they are the Oxfords and Etons of art-education, which to be useful to the people must embrace an almost infinitely wider sphere.

It has been discovered that a public able to appreciate is as essential as are designers able to produce; but it is not yet felt that ignorance of art diminishes wages, and injures every woman's household. It is admitted that for decorators, pattern-drawers, lithographers, engravers, carvers, mould-makers, sign-painters, and the like, art education is valuable; but it is not yet believed that the basis of all art—a knowledge of form—is as valuable to the chair-maker, the tailor, the boot-maker, the glover, the hatter, the turner, the coach-maker, the baker

and the pastrycook. The man who can letter signboards earns better wages than he who can only whitewash ceilings; and the principal difference between the two is, that the one has cultivated his sense of form till it yields him so many shillings a week more than his neighbour who has allowed his faculty to lie fallow. If it be admitted that forming the letter G upon a signboard and forging a horse-shoe, that the forming of a vase-backed chair and drawing a 'pine' for a shawl-pattern are precisely similar acts in different materials—that is, different developments of the same elements of form; if it can be demonstrated that what is called neat-handedness in artisans is only a clearer perception of that, little more or less, which constitutes the difference between clumsiness and elegance, and that these neat-handed tradesmen everywhere receive higher wages for their work; then it can be proved that this alphabet of the art—the knowledge of form—has a most important bearing on the wages, the comfort, independence, self-respect, social position, and public worth of the working classes.

But the advantage of this knowledge does not end here. Neat-handedness extends from the workshop to the household, and women have as much to lose as men from the want of it. To use Lord Granville's illustration at Manchester, the materials of a child's cotton frock are much the same in cost, however the dress may be made; but its attractions and the appearance of the child depend upon the style in which the frock is cut out, made up, and trimmed, that is, on the knowledge of form, arrangement, and harmony of colour possessed by the dressmaker. Girls, however, are not taught such branches of education at school, and as they grow up the want of information on these elements of art is soon found to entail an absolute loss of money. The cost of paying dressmakers for patterns and style is more than a working man's wages should be taxed with. The result is, that the wife and children look common even when wearing what a little art education would have made attractive, perhaps elegant. Every one knows how this re-acts on the comfort of home, for one of its greatest pleasures is to see wife and children neatly and tastefully dressed, and the ability to do this with ordinary material is not only an addition to income but also to domestic happiness. It could be shown that the principles which genius has elaborated from external nature, and which in art is called composition, are as applicable to the setting out of ornaments on a mantelpiece, the arrangement of furniture in a room, or of the dishes on a dinner-table, whether costly or cheap, as to the construction of great pictures.

The *second* condition is a clear idea of the knowledge wanted. Let it be understood, then, that not artists or designers, but artisans more refined, are what the promoters of common school art-education desire—men educated to distinguish between a true and false outline, between refinement and regularity in the combination of forms and their adaptation. This education is not required merely to enable boys to look at pictures and enjoy picture-galleries—these delights would come in due time, but to teach them to look at manufactured articles,

which they may one day have to make or purchase, with eyes educated to distinguish the beautiful from the meretricious, and especially to know why the one is beautiful and the other a pretence. Girls, from being educated in the same principles, might not become flower-painters, but they would be better able to select elegant jugs and suitable carpets, to arrange a dinner-table, or judge of those combinations of form and colour essential to secure becoming dress. These latter are applications of art principles to ordinary things which may be taught without teaching children to draw, just as they are taught to read apart from writing or arithmetic.

But why not teach every child drawing in the common schools? Some may laugh at the idea of teaching children the difference between elegant forms and the reverse. Others may deny that children generally can be educated in this element of art. Let such be consistent, and they would cease to teach writing in the common schools. It is not doubted that every child has imitative faculty sufficient to improve its intuitive perception of form in writing from the simple line to the well-turned letter. If, then, it can be demonstrated that the artisans already named do their work with neat-handedness or the reverse through the use of forms not different in quality from those employed in writing, then it is proved that the basis of art can be made a branch of every-day instruction for children, whose wages and comforts as men and women are so dependent on the possession of this knowledge. In short, the want in present education is the silence, or worse, on the adaptation of principles in external objects to the utilities and demands of every-day existence by means of an extension of the mere writing faculty to more varied forms.

The *third* requisite for general and successful art teaching is proper school-books. Dr. Arnold said the religious want of the age was not books on religious subjects, but books on other subjects, written in a religious spirit. So is it with art. The want is not of books for artists or connoisseurs, but of school-books, which shall intelligently and intelligibly turn the æsthetic sides of objects to the pupils. So far as I know there are no school-books in which the advantage or necessity of art education is recognised and taught—where the pictorial qualities of things form any portion of the lessons, while there are hundreds of examples in school-books calculated to frustrate the teaching which natural beauty conveys to susceptible minds. The fable of 'the stag drinking' is a well-known example. 'What a pity it is,' the stag is supposed to say, 'that so fine a creature should be furnished with so despicable a set of spindle-shanks. What a truly noble animal should I be were my legs in any degree answerable to my horns.' There is nothing more beautifully elegant in natural history than the form of a stag's limbs; but instead of the fable teaching this recognised truth, children are taught to regard the elegance only as a degradation to be ridiculed, and this to teach a lesson not one whit more important than a recognition of beauty in form.

One example of omission must also suffice. In the most popular 'course of reading' used in Scottish schools (seventh edition) illustrated by diagrams, and extending to 362 pages, treating on almost every other subject, there is not one lesson on art or its advantages, neither is there one where the æsthetic phase of object is recognised. In lessons where it would seem impossible to avoid the subject, as on 'the three kingdoms of nature,' the beauties of form, arrangement, and colour are ingeniously escaped. In treating of plants, the pupil is taught the difference between the corolla or blossom, and the petals of which it is composed. The physiology of the plant is described, but the laws of growth, as applicable to industrial art, are ignored as non-existent or unworthy of attention. Yet from the study of plants invaluable instruction for all branches of manufactures could be gathered. In bulbous roots the potter, the glass-blower, and the modeller may find all the types which have given such elegance and value to the products of Etruscan skill,—some of the finest specimens in the collection of Sir William Hamilton apparently boasting no higher prototype than a well-grown turnip, a well-developed melon, or a well-formed onion. The artificer in colours will find in plants the laws of natural harmony complete, teaching him the marked distinction which nature never fails to make between greens suitable for white flowers, as distinguished from greens in harmony with flowers red, blue, or yellow, or their intermediate combinations: while artisans in form or construction, by study of the proportions of flowers to stems, and the style in which the one is attached to and supports the other, would escape those barbarisms of misapplied and inverted forms which are the disfigurement rather than ornamentation of so many manufactured articles. This species of knowledge is as clearly deducible, and would be as easily learned from lessons on the vegetable kingdom as the uses of leaves, seed-vessels, and bark—knowledge preparing boys for being more accomplished potters, brassworkers, silversmiths, and iron-founders, carpet-weavers, paper-stainers, calico-printers, and instructing all to prefer the better to the worse. Instruction such as this would surely be more universally valuable than anything that can be learned from the mere physiological construction of plants. But unless school-books are written to teach this art-knowledge all through, it will never be efficiently acquired, because art, like other kinds of education, must be a growth; no spasmodic effort or tutorial magic will ever impart it in two lessons at the end of a long course, as is proposed in some school-books recently issued, where the want of art-teaching in the common schools is recognised rather than supplied by the formal chapters on 'how to look at a picture,' and 'how to enjoy a picture-gallery.'

The *fourth* desideratum for popular art education is schoolmasters capable of teaching. All teachers ought to be able to draw, just as all must be able to write. But as Mozart could teach how singing ought to be done, although destitute of voice for song, so, of the two, we should prefer a schoolmaster well versed in the principles of art, although deficient in its practice, to a mere draughtsman, ignorant of art's

history and principles. Every schoolmaster should be as well read in the literature of art as in the English classics, and as able to explain the primary colours and their relatives as to expound the Rule of Three; but his higher object as an art teacher should be to educate the sense of seeing, to cultivate the faculty of observation, so that his pupils may store their minds with examples of how nature forms, combines, and harmonizes—not from books only, but also from the weeds, and flowers, and roots found where opportunity presents. Drawing may be taught on the black-board, or the slate, and premiums for the best drawn leaf or grass-stalk would be more profitably bestowed than for pointing out some frozen straits in an obscure corner of the world's map. The perceptive faculty, the ability to say when the drawing done is right or wrong, may be taught in every lesson relative to objects having form, colour, or composition. Such lessons every schoolmaster should teach as effectually as he teaches the physical properties of bodies, and never till this is done can the general population have any well-grounded appreciation of the beautiful and true in art. A smattering of art education may be put on a few as gilt is put on gingerbread, and to no better purpose; but it will only be by teachers training the children to familiarity, through their every-day lessons, with the realities and value of art principles, as a highway to better wages and increased domestic comfort, that the national taste will be elevated, and the artistic qualities of British manufactures be really improved.

On the Importance of Teaching Social Economy in Elementary Schools for the Instruction of the Children of the Working Classes. By BENJAMIN TEMPLAR, *Head Master of the Manchester Model Secular School.**

IN the earliest stages of instruction in Social Economy, the pupils are led to a full comprehension of the important fact that labour is the one great, universal condition of life, and that their share of life's comforts will depend upon the quantity and quality of their labour, and upon their making a wise use of its produce. They are made to perceive, too, that the extent to which they will possess the essential qualities of prosperous workpeople—industry, knowledge, skill, and economy—will bear an exact proportion to the habits of diligence, attentiveness, careful perseverance, and forethought which they acquire in early life; and that, therefore, while children they are forming habits, and

* Mr. Templar, in some preliminary observations, pointed out the importance of teaching the conditions of industrial success, and the laws which regulate the value of labour. He also showed that school was the only place where the children of the poor were likely to obtain such knowledge.

thereby setting in train a number of causes that will inevitably affect their future life.

Now I submit that children cannot be brought to perceive these truths, to reflect upon, and to reason about them, without having their perceptive, reflective, and reasoning faculties, well exercised; and, in addition thereto, having their minds disabused of the mischievous notion that 'luck' is the basis of success.

In the more advanced stages of this most useful science, the same faculties are exercised to a still greater extent. The perceptive and reflective faculties are exercised by a careful consideration of the conditions of and fluctuations in value, and of the advantages that arise from a division of labour, commerce, the uses of money and credit, the protection of wealth, competition, the employment of machinery, the objects and modes of taxation, &c. The reasoning faculties are exercised in investigating the causes of fluctuations in value; in comparing the advantages of a division of labour, commerce, money, and machinery, with the disadvantages of individual and national isolation, and of being limited to barter and unaided manual labour; and in deducing the results of a general insecurity of wealth, the abuse of credit, and all artificial restrictions upon trade and commerce. Thus, when efficiently taught, the science of Social Economy educates nearly every mental faculty, and so proves its eminent suitability as a means of intellectual education.

It is also an important means of moral education, since it demonstrates the necessity for strict integrity, and other moral qualities, to individual and social well-being. It shows that one of the most important conditions of industrial success is a good moral character, a just reputation for honesty, truthfulness, industry, sobriety, and punctuality; that these strictly moral qualities are as essential to the workman's, shopkeeper's, merchant's, manufacturer's, and all others' prosperity, as skill, economy, or any other requisite. Children who are instructed in the advantages of a division of labour, see that all who take part in it must be mutually dependent, and that when people are free to choose who shall supply them with labour and other commodities, they will have dealings with none but those who have a good reputation—a good moral character. Hence they have proved to them, at the very outset of life, the necessity for strict integrity in all their dealings; they are convinced there can be no individual prosperity without at least sound business morality, and so the chief motive for immoral conduct—namely, pecuniary gain, is entirely removed.

Again, Social Economy shows what great benefits arise from our systems of currency and credit; that they are of vital importance to all; and that as these systems could not exist but for the honesty and truthfulness of those who make use of them, our social prosperity is based upon these two important moral qualities. Every portion of this science which treats of men's dealings with each other, whether as employers and employed, buyers and sellers, or borrowers and lenders, shows that the strictest fidelity to trust is necessary to the permanent welfare of each of the contracting parties; and that

he who is unfaithful to the confidence reposed in him, injures not only himself, but those who confide in him, and, by his breach of trust, helps to lessen general confidence and esteem. Thus by proving that individual and social prosperity is attainable only by a strictly upright course of conduct, Social Economy shows that all the moral precepts of the Bible concerning stealing, lying, &c., have their foundation in the immutable nature of things; it shows why God has said, 'Thou shall not steal,' &c. In doing this, and in appealing to the conscientiousness and benevolence of those who are taught this science, it exerts a mighty moral influence; it proves to be, what I have said it is, an important means of moral education.

Lastly: Social Economy is a valuable means of religious education. It is so, because none can reflect upon its teachings without having their veneration for, and gratitude and love towards, God, strongly excited. These are the essentially 'religious' emotions; they form the foundations of all religions; and they are strongly excited, they are educed in a very high degree, by the careful consideration of the following, among other industrial phenomena:—

Most masters are ever on the alert to avail themselves of means for reducing the cost of producing their goods, so that they may thereby reduce their price, and by that means secure a more extensive sale, and larger aggregate profits; it is clearly to their interest to do this. It is also to the interest of the work-people, for it brings about a greater demand for their labour, and, besides giving them more employment, improves the rate of wages. In other ways, too, it is shown that the employer's and employée's interests are identical. The farmer directs all his energies to the production of large crops, for his interest is bound up in them; so also is that of the public, and in serving himself he serves them. Every other producer, whether of raw materials or of manufactured goods, strives to produce the largest possible amount of his particular commodity with the means at his disposal—his interest runs in that direction—so also does the interest of the public; hence the interests of producers and consumers are concurrent. Dealers—the men who come between the producers and consumers—buy in the cheapest and sell in the dearest markets; evidently they benefit themselves by so doing. They benefit the consumers also, by taking commodities out of the market when they are least wanted, and by bringing them into market when most wanted; they equalize the markets, price, and consumption, by such a course; and so, while intent upon benefiting themselves only, are national benefactors. Commerce is seen to be accompanied by great pecuniary benefit, by a large increase of comfort, and by civilizing and friendly influences; its continuance and extension are desirable in every way, for the sake of humanity as well as of trade; but its existence depends upon the existence of peace. The atlantic telegraph was projected and completed to subserve the private pecuniary interests of its projectors; but it can do this only by subserving the interests of the public, and to an equal extent.

Reflection upon these, and other equally impressive facts, teaches the following important lessons:—Men, so far from permanently benefiting themselves at the expense of others, can do so only by doing good to others, no matter what may be the nature of their occupation. It shows that every man, while working out his plans for his own advancement, is at the same time—though quite unintentionally, and often unconsciously—contributing to the advancement of others—to the public good; that God has so interwoven men's interests, that no man liveth, or can live, to himself alone. It proves that the interests of all classes, even the most opposite—such as employers and employed, producers and consumers—are concurrent instead of antagonistic; else civilisation, with all its attendant blessings, would be impossible. It shows, too, that the tendency of all legitimate social arrangement is to bring about universal peace, prosperity, friendship, and happiness.

My experience in teaching such truths as these has proved to me that there is scarcely another subject so calculated to awaken deep thoughtfulness in children; to prove to them the reality, wisdom, and beneficence of God's government of the affairs of men; and so to excite their wondering admiration, and profound veneration, gratitude, and love towards God. Many, very many times, have I been unspeakably gratified by the deeply-interested attention of a large class of boys, of ages varying from nine to fourteen years, as I have unfolded to them these, and other proofs of the infinite wisdom and goodness with which God has so determined all men's social arrangements, that the pleasure and profit arising therefrom shall be mutual and universal; and, while doing so, I have felt that I have been using one of the most valuable means of educating the religious part of their nature; that I have been doing much, by the help of Social Economy, towards making them devout, grateful, and in the truest, least-disputed, sense of the word, religious men.

Educational Institutions of Emmanuel De Fellenberg. By his Son, WILHELM DE FELLENBERG. (*Translation from the German Original.**)

WHERE, and by whom, the idea of industrial training for the poorer classes was first conceived and worked out practically, appears to be little known in England. Yet as institutions for that purpose will probably bear an important part in the solution of the great social questions of the age, it is highly desirable to inquire into their origin and gradual formation, with a view to comprehend their design more fully, as well as to obtain the most beneficial results from them in the arrangements of any similar school. We shall therefore enter into more details than have hitherto been given by the biographers of

* Communicated by Lady Noel Byron.

De Fellenberg, of the circumstances out of which the idea of a labour and agricultural school first arose in his mind; to be fulfilled eventually in the great establishment of Hofwyl.

Early in the year 1798, Switzerland, whilst at peace with the French Republic, was invaded by a numerous French army on the most frivolous pretexts. Amongst the Swiss Cantons which offered the most energetic resistance to the encroachments of the French Directory, Unterwalden stood in the first rank. Fearful was the vengeance of the enraged French soldiery, who devastated that unhappy country with fire and sword. The inhabitants who did not fall in battle (women as well as men having shared in the fight) fled, some into the mountains, some into the churches; but the churches did not protect them from the flames or bayonets, to which all the native sufferers became a prey; the children were however spared; and crowds of these homeless orphans were to be seen, after the departure of the French, wandering about amidst the ruins of the villages. A wail resounded through Switzerland when this was known.

The first philanthropist who devoted himself to the succour of these helpless objects, was Henry Pestalozzi, then Theological Candidate. He had just before broken down utterly in preaching his probationary sermon—a circumstance which was a bar to his prospects in the church, especially at such a seat of learning as Zurich. He did not know where to direct his steps; the career of professional theology was closed to him, but not that of Christianity. He converted his little property into money, tied up his bundle, and set off to the Canton of Unterwalden, there to become the guardian of the poor deserted children. The season was inclement, but he succeeded, with the help of some kind-hearted friends, in forming a shelter for his new family, amongst the ruins of the little village of Hanz. Here Pestalozzi fed, clothed, and housed the gathered flock, increasing in numbers till he was obliged to consider how he could bring them under some kind of discipline; but for this purpose he had no help except from the children themselves. He therefore chose from amongst them the most intelligent, taking care to select those who had most influence with their companions. These he appointed his assistants ('lieutenants') in the lessons, as well as in the necessary household work, such as keeping the place in order, mending clothes, collecting wood, &c. He soon added to these occupations the cultivation of a small piece of land; and the little colony assumed the aspect of an orderly community.

In the meantime patriots from various parts of Switzerland had arrived in Hanz, bringing provisions and stores of all kinds. The fugitive inhabitants gradually returned from the mountains, and all fell into their former way of life. Pestalozzi's school was welcome to all as long as the children were fed and provided for in it; but his funds being exhausted, and the aid of the benevolent being required for the returning fugitives on their own account, there were no means of maintaining the establishment. Thus, to the great sorrow of every one, Pestalozzi felt the necessity of separating from

his beloved children. Still the recollection of his Unterwalden family, and of the kind of training which he had been driven to employ from the failure of other resources, remained a living picture in his mind. It gave a distinct and tangible aim to his deep inward longing to serve his fellow-creatures; it became the vision of his dreams, the object of all his plans; and he caught at whatever promised to bring him nearer to the desired end. In consequence, all his intercourse with friends—for he found many after the events of Unterwalden—was directed to the same end. To most of them, however, he spoke in riddles, since they could not have understood him unless they had like him learned, by experience, how powerful an instrument for training the young is to be found in labour for bread, when under skilful management. By all true philanthropists, indeed, the full value of Pestalozzi's work in Unterwalden was recognised; and in its merits his unsuccessful sermon was forgotten. Great hopes were formed of the results of such rare self-devotion, and many anticipated that a new light on education would be kindled by it. When he made known his project of an educational institute, the Government of the Canton of Berne offered him the use of the Château of Burgdorf for that purpose. He accepted the offer, and opened a school in that place.

Pestalozzi's reputation, founded upon some striking works for the people, 'Leonard and Gertrude,' with others, brought him immediately a great number of pupils; some of them out of the most influential families, with whom he had an opportunity of putting in practice one part of his educational system, called by himself the 'Anschauungs Lehre,' teaching by sight and other senses. But his industrial training could not be carried into effect, because his pupils were chiefly of aristocratic families, and not obliged to support themselves by manual labour. He consoled himself, however, with the hope of saving enough out of the income derived from the school-payments of the rich, to establish a small agricultural school for the poor, on his own plan, in connection with the institute.

His new system already began to excite public attention. Young men of the teachers' class thronged around him, and endeavoured, with more or less success, to acquire his method, hoping thereby to make their fortunes in the novelty-loving world; but amongst all those who were thus brought into contact with him, there was not one who could comprehend his great idea, that of making LABOUR, more especially *Agricultural Labour*, a principal means of training the young; indeed, had he found such a one it could not have helped him; for in his fortress there was not a foot of ground in which anything could be planted.

An opportunity was soon afforded of carrying out the aim of his heart by these circumstances. Amongst the acquaintances Pestalozzi had made in earlier times, during a journey before he went to Unterwalden, was the family of Tcharner, of Wilden Stein. Tcharner, who was the Bernese Landvogt, appeared to Pestalozzi to realise his idea of what a governor ought to be, such as he had drawn

in his most celebrated work, 'Leonard and Gertrude,' in the character of Arner. Through this family he became acquainted with that of De Fellenberg, who succeeded Tcharner in the government of Wilden Stein; and a young De Fellenberg became one of Pestalozzi's most attentive listeners. This young man accompanied him on several journeys, and was one of the few who afterwards entered into, and adopted, his idea of industrial education. But it was a circuitous route by which De Fellenberg came to the resolution of acting out Pestalozzi's idea. He was educated for a political career, but his mother's character had implanted in him the germ which enabled him to receive and comprehend the ideas of Pestalozzi. His mother used to say to him: '*The Rich have always helpers enough, help thou the Poor.*'

It was during the early days of the French Revolution that he studied law at the University of Tübingen, in Germany. Returning just as the difficulties of Switzerland with the French were beginning, he then heard of Pestalozzi's school in Unterwalden, and was vividly reminded of his former acquaintance with him. Other circumstances also concurred to give the bent to his mind, which changed his path in life from that of a politician to that of a philanthropist.

The tremendous war taxes which the French Directory exacted from the Swiss, and the pressure of the military occupation on the country, brought Switzerland to the brink of despair, and it was resolved to send an embassy consisting of the leading men to Paris, in order to entreat the Directory to lighten these burthens. De Fellenberg accompanied one of these ambassadors as secretary; and what he then saw of French freedom, and the political tendencies of that time, convinced him that he must seek another path. He returned to Switzerland, more than ever determined to serve his country in the spirit which had been awakened in his early youth by that saying of his mother. He soon afterwards married the grand-daughter of Tcharner, the before-mentioned friend of Pestalozzi, and was henceforward brought more into contact with him. About this time De Fellenberg's father, who was professor of law in Bern, purchased the estate of Hofwyl, near to that city, in order to give his son a field of action. Hofwyl is only nine English miles distant from Burgdorf. Thus De Fellenberg and Pestalozzi became neighbours, and this led to frequent interchange of thought between them, in which Pestalozzi endeavoured to induce De Fellenberg to employ his estate in realising his favourite idea of industrial education. Pestalozzi had at that time competent teachers for the promulgation of his method of teaching. Each of these teachers imagined himself at least a younger Pestalozzi, who owed the father Pestalozzi just as much subordination as seemed good to themselves, and no more. Thus, in a few years after its foundation, the institute presented a picture of anarchy; and Pestalozzi felt himself incapable, through diminished practical powers, of reorganising it as was required, and placing it on a firm basis, which he thought De Fellenberg could best accomplish.

The Bernese Government possessed a building, once a convent, near Hofwyl, called München Buchsee, and Pestalozzi proposed to the authorities to give it him instead of Burgdorf. He offered the entire management of his institute to De Fellenberg, and the Government consented. De Fellenberg made a stipulation that he should have the power of dismissing any of the teachers who should not conform to his regulations. Pestalozzi agreed to this, and transplanted his establishment to München Buchsee, which is only ten minutes' walk from Hofwyl. Here De Fellenberg had an opportunity of judging of Pestalozzi's method, and of seeing both its strong and weak points. He was also able to enter into Pestalozzi's further schemes. It is scarcely to be doubted that the dominant idea of Pestalozzi would have been then carried out at Hofwyl under his own eyes, if the characters of the two men had been such that they could labour together in the same work with success. But in their daily intercourse it soon appeared, that Pestalozzi's excessive kindness of heart led him to regard as tyranny a consistent prosecution of that plan; while De Fellenberg, from his characteristic energy, bore Pestalozzi's want of decision impatiently, and treated it as loss of time. It was, therefore, not difficult for Pestalozzi's assistants to persuade him that he had fallen into the hands of a tyrant, from whom he should release himself at any cost. He therefore accepted at once the offer from the Government of the Canton Waadt (Pays de Vaud) to give up to him the Schloss Yverdun, on the Lake of Neuchâtel, for the reception of his institute; and thus ended the connection between Pestalozzi and De Fellenberg, without, however, any personal disagreement. Pestalozzi rejoiced extremely when, in 1806, De Fellenberg sent one of his sons to him to be educated, accompanied by a young man, as tutor, who should acquire a knowledge of Pestalozzi's system.

De Fellenberg meanwhile, at Hofwyl, had come to the determination to begin the work of industrial education, and the only question with him now was, to find an able assistant who could fill the position of '*Father*' to his pupils, and as such embody his idea. After having sought among a considerable number of young men of the educating class in Switzerland, he found the right one in the following manner. Pestalozzi's method of teaching had excited great attention among all engaged in education throughout Switzerland. It seemed so simple to lead the pupil by enlisting his own will, and rousing his own reason to assist in his own instruction, that every reflecting teacher could only wonder why the idea had not occurred to him long before, as the number of children in a school rendered some such method almost necessary. Many, therefore, endeavoured to apply what they had heard of his system, apparently so simple, to the subjects then taught in their schools, reading, writing, the catechism, &c.; but they soon found the task to be much more difficult than they had imagined. Many, therefore, were anxious to study the Pestalozzian method from Pestalozzi himself; but this was too expensive for most of them. The pecuniary affairs of the institute were so involved from mismanagement, that Pestalozzi could not admit any such supernumeraries except for a

considerable sum. This led De Fellenberg to think of opening a course of instruction in the Pestalozzian method: on the one hand, to offer to earnest teachers this opportunity of improvement; on the other, with the hope, among the numbers who might assemble at Hofwyl, to find an assistant for his own particular object. He communicated his scheme to Pestalozzi, who was delighted with it, and sent him a young man from Prussia named Zeller, no less thoroughly imbued with his method than enthusiastic in promoting it. De Fellenberg was thus able to open his course of instruction, 1st May, 1806. For this purpose he had a cottage built in a little wood, beneath great linden trees, on twelve posts, and with a single roof. The upper part served as a sleeping-room, the ground-floor as a school-room. In the morning, the hours from five to seven, and from eight till twelve, were devoted to lessons. In the afternoon the teachers worked in the fields and in the garden of Hofwyl. In the evening they prepared the vegetables for the next day's meals. During the harvest they assisted in the fields during the whole day. De Fellenberg, in this way, showed them how an industrial school ought to be organized. He gave them also every morning, a lesson in agriculture, in which he explained the various field operations and their connection. He conversed with them on the subject of making agricultural labour a valuable aid in education, and a subject of instruction for boys. Each evening he talked over with them the labours of the following day. Thus he led the teachers to do their work with intelligence; to take pleasure in it, and to see how advantageous would be to themselves the knowledge thus obtained of agriculture, as the means of making the soil more productive during the rest of their life; for most teachers in Switzerland depend for the principal part of their subsistence on a few acres of public ground.

All this instruction was in accordance with Pestalozzi's ideas—De Fellenberg even carried them further than their originator—for Pestalozzi based his system on the perception of the senses (*Anschauung*), making this the groundwork of memory. Former systems had only concerned themselves with the memory, and with matters which could be made objects of perception; De Fellenberg then went beyond Pestalozzi, inasmuch as he added the *action* to the *perception;* 'for,' said he, 'what has been done, and done with thought, will be retained more firmly by the memory, and will bring a surer experience than that which has been only seen or heard.' Earlier schools made the *ear* and *words* the subject-matter of memory—Pestalozzi, the *eye* and *picture*—De Fellenberg, *the action.* Zeller, though versed in Pestalozzi's method, followed De Fellenberg's step in advance of it, with the readiness of one desirous of improvement; and brought his objective teaching, as far as possible, into relation with the daily lessons of the teachers—the effect of which was to render them more interesting and animated.

The teachers who took part in these courses of instruction have been heard, even years after, to describe the scene so vividly that it seemed as if they had just come from it; and it has been often proved

that whilst other teachers, from want of knowledge of farming, have been ruined in times of distress, such as 1816, 1817, the Hofwyllers, as they were called, struggled out of their difficulties by their own exertions.

About thirty joined in the first season's lessons. These, on their return home, mentioned them to their acquaintances. The following spring, no less than eighty teachers made their appearance at Hofwyl. This influx created difficulties for De Fellenberg, as an individual, and caused him some pecuniary embarrassment.

In order to carry out his plans he was obliged to find different kinds of labour, which he would not, perhaps, otherwise have thought of. Among these was drainage, then effected only by means of stones, or with wooden pipes; and as the Hofwyl land was extremely stony, this answered two purposes at once. The drainage water also was turned to account, in watering the low-lying meadows. All these occupations again gave Zeller the opportunity of extending his object-lessons. Instruction in Drawing was joined with them; this art being regarded by De Fellenberg and Zeller as a connecting link between perception and action.

The second course was attended by a little schoolmaster, named Wehrli, from the Canton of Thurgovie. Although an elderly man, he had set off, on hearing of the new method of teaching, and travelled on foot about one hundred and fifty miles, in order to improve himself in his profession. He was one of the most zealous and attentive students, and endeavoured to inform himself as thoroughly as possible on all points that were new to him. When De Fellenberg, at times, explained to the teachers how agricultural labour might be made a means of education, declaring his own wish to establish an example of such industrial training, if he could only find a capable assistant, it was always old Wehrli who, after the lesson, had most questions to ask; and at the end of the course he said that he had a son whom he could recommend to carry the plan into effect. Induced by his description of his son, De Fellenberg invited him to Hofwyl; and shortly afterwards there appeared before him a youth of eighteen, with a pleasing expression of countenance, modest bearing, but fearless glance, commissioned by his father to enter the service of De Fellenberg. Young Jacob Wehrli was not long in comprehending what De Fellenberg required of him. He only wished, as soon as possible, to be put in command of boys with whom he could set to work. De Fellenberg was so convinced of the certainty of success in his undertaking, that he did not hesitate to give the first beggar-boy whom he found, as a pupil to young Wehrli. Wehrli was no less confident in its being an easy task to change the most unmanageable of vagabonds into an industrious member of society; and, in fact, the first few weeks of kind treatment, not omitting better food, seemed to make the desired impression which De Fellenberg and Wehrli ascribed to their system. This result was, however, not a little attributable to Wehrli's having shared all the occupations of his pupil, so that when the boy felt weary or idle, he was ashamed to let his master, as he called Wehrli,

work alone. When, however, after a few weeks, the better food and kindly treatment were no longer new, the beggar-boy began to long after his former 'free life,' and tried, instead of working, to go after birds' nests, the eggs of which had formed the luxuries of his former diet; or else he sought out a snug corner to sleep in. When Wehrli said to him, 'Those who will not work shall not eat,' he took up his tools again, it is true, but as his thoughts were not in his work, his labour was worth nothing, and Wehrli saw that he should not attain his purpose in that way. So it was necessary that the boy should experience the consequence of his idleness, and go to bed one evening without his food. 'What,' thought he, 'I am deprived of my liberty, and must hunger into the bargain?' and the next morning, very early, he took his departure. Thus Wehrli had now no pupil. De Fellenberg himself was astonished that the beggar-boy had not known better how to appreciate his kindness, and he then made a fresh experiment with the son of an industrious labourer, who, burthened with a large family, was glad of the opportunity of providing for one of his children. He was a weakly boy, but willing and anxious to learn, and gave Wehrli more satisfaction. It was not so wonderful that a child out of a labourer's family, should be trained to industry. Still it was attended with much trouble to accustom the boy, somewhat enfeebled by his mother's care, to field-labour. De Fellenberg had said that they would not take a second boy till the first was in good order, that the example of the one might influence the other. The prospect of such a result with this weakly boy was unfavourable, and Wehrli found that he should have to go through the whole winter with but one pupil. At the beginning of the cold days, however, our young friend, the beggar-boy, made his appearance, and promised, if he were received back, to work hard for his bread. It really seemed as if the young vagabond had instituted some comparisons between his 'free life' and Hofwyl training, to the advantage of the latter. The two new comrades soon strove which should do his work best—a contest in which the beggar-boy soon gained the upper hand, and took the position of teacher, as he displayed much more skill and aptitude than the other. This satisfied his ambition, and Wehrli took care not to weaken this first germ of civilisation in him, but rather endeavoured to convince De Fellenberg that they might now receive a third boy; as he had a strong and intelligent assistant in the beggar-boy, and could, at least, depend on the good will of the other lad. Soon there followed a third and a fourth; but care was taken not to increase the vagrant element, till the inner strength of the little family might make it safe to do so.

This was the commencement of the agricultural school for the poor at Hofwyl, in which the OBJECTIVE TEACHING of Pestalozzi was brought into action in concurrence with labour. When the pupils reached ten in number Wehrli was able to promote some of them to be his assistants; not so much in school-teaching, as in the direction of work, arranging that each older pupil should take charge of a younger one, as an apprentice. Such was the type of the ultimate develop-

ment of the school; just as in a well-ordered family the elder children lead on the younger ones by their example.

Agricultural labours offer a richer field for this purpose than any other employment. Every sort of capacity is brought into action. Each member of the family performs his part of the common labour, and enjoys the elevating consciousness of being useful to the community. In striving to fill his position well, he learns to act from a sense of duty, and strengthens this virtue by practice. De Fellenberg's pupils, however, were not confined to agricultural labour; the requirements of his farm, and afterwards of his educational establishment for the upper classes, gave employment to various artisans, as cart-makers, carpenters, joiners, blacksmiths, locksmiths, workers in wood, iron, leather, mechanics, shoemakers, tailors. Therefore, the pupils of the lower school, if they wished to learn a handicraft, had a wide choice open to them, without being obliged, during their apprenticeship, to neglect the instruction from books in which they had become interested.

Wehrli's school, gradually increasing from a small family circle to a youthful community, reached the number of 150 pupils, without diminishing in moral strength or intellectual energy. Amongst these a considerable number were trained to become teachers in national schools, and superintendents of similar establishments; such as are now to be found in most of the Cantons of Switzerland, in many German States, in France, in the Netherlands, in Italy, and elsewhere. The greatest service rendered by the system of industrial training, in schools modelled after Wehrli's, has been in those devoted to rescuing juvenile offenders from the path of ruin, and restoring them to society. Up to the present time, the Rettungs Haus, at Bächtele, near Berne, in Switzerland, is one of the best institutions of this nature, and Dr. Wichern, the founder of the Rauhen Haus, near Hamburg, and De Metz, founder of the Colonie Penitentiare, at Mettrai, in France, have employed this system, as the only effectual mode of reclaiming the most abandoned juvenile delinquents.

We must not omit to mention here an observation, confirmed by facts, that wherever such schools have been established with success, they have always, as in the case of Wehrli's, at Hofwyl, arisen out of the small family principle gradually extended. There have not been wanting attempts to organise such schools on a gigantic scale, but few of these have proved themselves strong enough to live. It has always been demonstrated that it is not the *system* that can give life, but the *spirit:* the strength, love, and faith of the founder; and all these will naturally increase from the smallest germ, and become strong by exercise. This was proved, too, in Hofwyl itself, for when after forty years' exertions, Wehrli was recalled to his native Canton of Thurgovie, to conduct there an institution for the education of teachers, after the model of Hofwyl, De Fellenberg sought his successor from amongst the numerous teachers of the Lower School; but not one of the chosen 'step-fathers' could take Wehrli's place. The school lost with him its peculiar vitality, and it would have been better to have begun it

afresh. De Fellenberg had felt from the first the true position of the wealthy in relation to the poorer classes, and that it would be only half doing his work in the world, if he merely showed what treasures existed in the working classes to be drawn forth. The rich must be taught, at the same time, by what means they could succeed in extracting those treasures. Witnesses were wanted out of the upper classes to the educational elevation of the labouring classes—witnesses who might afterwards carry forward his work. About the time at which he made his first experiment in industrial training, he began an agricultural course for landowners. The success of his plan of deep-soil ploughing, draining, and irrigation, upon the formerly somewhat neglected ground of his estate, was much approved, and brought him a large number of pupils, many of whom also took an interest in his education of the poor. But these young men remained so short a time under his direction, that he could not anticipate the extension of his views in a wider circle through them. He therefore opened, in 1809, his educational institute for the upper classes, of the same kind as that which Pestalozzi conducted at Iverdun—afterwards extensively known—and he here made use of the experience which Pestalozzi had gained during many years with his Objective Lessons.

In working out his method, Pestalozzi had arrived at a somewhat one-sided system of instruction, founding all on his pupil's own perceptions. He excluded traditions far too much, so that it was said of him that the whole past of human cultivation was lost to his pupils—as, for instance, history. De Fellenberg endeavoured to avoid this one-sidedness in his school, by giving the study of history its place, adapting it with care to the young. On the other hand, he strove by every means to afford to the pupils of his higher school a field for the development of their powers of action. He introduced extensive gymnastics, including military exercises, swimming, riding, pedestrian exercises, turning, and similar mechanical occupations, gardening, and skating. At the same time, under the guidance of a special master, the boys formed a kind of independent community amongst themselves, for the management of their own affairs out of school-hours; arranging their various occupations, as well as games of all kinds, their walking tours, gardening, &c. They chose their own officers, punished casual offenders, and thus practised obedience to self-imposed law. In this manner De Fellenberg strove, with these pupils also, to promote action and the discipline of life, as the actual means of education; and to lay the foundation of self-reliance in the man by the cultivation of self-government, and various capabilities in the boy and youth, so that in the upper school also, the prominent feature was *education by action*, which coincided with the industrial training of the lower or poor school.

The two institutions were brought into contact in many ways. Pupils of the upper school who required physical strengthening, or muscular exhaustion, so to speak, as was the case with many, were sent for a time to field-labour in the lower school. In both cases labour acted as a wholesome medicine, whilst the boys themselves

regarded getting up at three in the morning to earn a breakfast with a thrashing flail as one of their greatest pleasures. Many amusements were shared by both schools—for instance, skating and sledging in winter, and gymnastic games in summer. The sons of the wealthy learnt from the pupils of the lower school to respect labour, whilst the poor viewed their richer companions not as enemies but as sympathising friends. The pupils of the upper school kept a poor-box, into which were paid all the small fines, and the voluntary contributions of the boys also, on Sundays, after the religious services. These funds afforded them the means of helping the sick and infirm people whom they met with in their visits to the poor families round Hofwyl. Such visits were usually made on Sunday afternoons. Thus also was Sunday sanctified, not by words only, but by deeds.

In order to awaken yet more sympathy in the sons of the rich for the education of the poor, a little colony from the lower school was at one time established in a wood, about six miles from Hofwyl, on an enclosure of about twelve acres. The walls of the dwellings were of clay, and were the work of the pupils of the upper school. The doors, windows, floors, ceilings, partitions, beds, tables, chairs, and cupboards, were made by the young carpenters of both schools; and it was a common festival for all when the first four pupils, with their teacher, were established in the new colony, on which occasion the chief enjoyment consisted in this, that both schools joined in digging and in preparing for planting the piece of ground destined for a garden. For several years, one of the most favourite Sunday walks was to visit the new colony and observe its progress.

Thus it was that the practical working, as well as the theory, of agricultural poor schools was carried by Hofwyl pupils into distant countries; and thus, too, the boys of the upper school took away with them more correct notions of active beneficence, as well as of the duties which property imposes upon its possessor.

This education earned much approbation from the public, and the number of pupils increased in a short time. Their payments enabled De Fellenberg to extend the Poor School, which we before mentioned. It also made it possible for him to give several 'courses' for the benefit of earnest teachers; and amongst them he discovered young men who attached themselves, willingly and efficiently, to his work of training the poor, assisting him to spread it abroad.

Among the many strangers who visited Hofwyl, some, who were not satisfied with seeing what was done there, inquired into the possibility of founding similar institutions in their own homes. Then it always appeared necessary, as a first condition, to have a Wehrli; and De Fellenberg perceived that, if all these good intentions should be carried into effect, he must consider how he could procure more than one Wehrli. He was now able to make use of those young men whom he had found qualified, in the course of his classes, for teachers, and without whom it would have been impossible for him to extend his system thus widely in so short a

time. For however simple at first sight the idea might appear, that the same means which renders the individual capable of self-support—namely, his development as a worker, should be made the chief agent in his education—nevertheless, such simple ideas are only suggested by that common-sense which Diogenes sought with a lantern in broad daylight. To carry them out into practice requires a self-denial and devotion, which is the fruit of a long exercise of Christian virtues.

Pestalozzi's original ideal was thus realised in Hofwyl. He had practised his method of instruction at Iverdun, at first with great success; but here, again, his want of capacity for management stood in his way.

We are far, however, from wishing to depreciate, in the smallest degree, the great service which he rendered in the furtherance of true popular education. If his *objective* system did not entirely develop industrial training, it may at least be considered as having given the first impulse in that direction. What must above all be regarded in all he did is his inexhaustible love for the young, to express which he could scarcely find words. It inspired every one with whom he came in contact, and became the distinguishing characteristic of his true disciples. If his system embraced but few subjects of teaching, its deficiencies were compensated for by the intensity with which it acted upon such as could be brought within its sphere.

Pestalozzi's simple motto was, 'Nothing can be learned except through comparison of the unknown with the known;' and, again, 'Every thing is contained in the child; the teacher must know how to draw it out by love and patience: love can always find means.' To teachers he often said, 'Go, and learn of the mother.'

The young, according to his view, could only know by the physical perception which requires repeated exercise to advance to mental perception. What the eye sees must be thoroughly comprehended by means of feeling, hearing, smelling, tasting, in order that the verbal description of the object and its properties may be perfectly understood. Then the teacher proceeded to numbers and measures, and lastly Drawing came in to complete the external image.

From this short sketch of the course pursued by Pestalozzi's method of Objective Teaching, it will be seen that it was especially calculated to qualify and prepare its scholars for the study of natural science; and it is evident that in agriculture lay the richest mine for the practice of Objective Teaching. As a farther development of his system, Pestalozzi could not fail to look with satisfaction on De Fellenberg's agricultural school at Hofwyl. If we cast a glance at the studies of the naturalist—as widely comprehensive as they are deep and searching—and upon their manifold uses in common life, we can scarcely fail to acknowledge, with gratitude, in Pestalozzi's system one of the influences which have helped to promote and facilitate scientific pursuits.

De Fellenberg pursued his work at Hofwyl, in the manner before described, till the year 1844. We have mentioned how offshoots of

his work for educating the poor were formed with success in most of the Cantons of Switzerland, and the adjoining countries; and he could look upon his life with the consciousness of having begun a work that would advance and develop itself through the inherent truth of the principle which it represented.

It is very significant of the effect produced by the efforts of Pestalozzi and De Fellenberg, that when, in 1844, the erection of a national monument to Pestalozzi was talked of, and men of all ranks met to consider the subject, it was agreed, without opposition from any quarter, to abandon the idea of a stone or bronze statue, and raise instead of it a living memorial to the father of Swiss education, consisting of an institution for the training of poor children of both sexes, in accordance with his ideas, and after the model of Wehrli's school at Hofwyl. This monument is still flourishing, and will be a blessing to coming generations.

De Fellenberg's institutions at Hofwyl did not escape the fate of all human affairs. He died in 1844. The political events of 1845–48 caused a dissolution of his schools at the moment; but his system was too firmly established in Switzerland, by means of numerous training and other schools, to be affected by the continuance or discontinuance of Hofwyl. That which he sought to accomplish by means of his schools was achieved:—1. Switzerland had obtained a system of popular education, having its foundation in the wants of the nation, and which it could henceforth develop independently, as there was scarcely a place of any importance in the country where there was not a pupil, either of Pestalozzi or De Fellenberg, to take an active interest in the schools. 2. The idea of training by action, by productive and civilising labour, had advanced from theory into practice. The same means which are pointed out to man for his material support were now brought to serve as an effective instrument in his education; and, as the great mass of mankind are destined to maintain themselves by labour, the most effective means of civilising and educating this large majority was thus discovered in labour. The chief point which remained to be considered was, how the leading classes of society, the employers, could be trained to recognise their duty, to educate and elevate morally the working classes, with the same interest with which they make use of hired labour to increase their own property. De Fellenberg indicated the way to this end also, and made the first step by the establishment of his educational institution, described above, for the higher classes. It is to be hoped that the school, re-opened a few years ago at Hofwyl, may inherit the spirit and influence of its predecessor.

SUMMARY OF PROCEEDINGS IN THE EDUCATION DEPARTMENT.

THE Right Hon. W. Cowper, M.P., president of the Department, occupied the chair during the whole of the proceedings. On the Friday the Department, in order to dispose of the business more conveniently, sat in two sections, over the second of which Sir James Kay Shuttleworth presided. The secretarial duties were performed by the Rev David Melville and the Rev. Nash Stephenson, the permanent secretaries, and by the Rev. J. S. Howson (assisted on the Friday by Mr. Cropper), as local secretary.

In addition to the papers printed at length in this volume, the following were read at the meeting:—

'The Progress and Probable Results of Recent Education Schemes;' by Rev. J. S. Howson, M.A., Principal of the Collegiate Institution, Liverpool.

'Book-Hawking Societies;' by the Rev. Nash Stephenson.

'Colleges for the Blind;' by the Rev. W. Taylor.

'On Prize Schemes for Elementary Schools in Agricultural Districts;' by G. H. Bengough.

'Some Account of the Education of the Poor in Liverpool, with Suggestions for its Improvement;' by the Rev. A. Hume, L.L.D.

'On the Improvement of Instruction in Schools for the Poor;' by Rev. A. J. Tomlin.

'On Industrial Schools for Villages and Small Towns;' by T. B. L. Baker.

'How to make Common Schools practically Useful;' by J. C. Symons, H.M.I.

'On the Importance of Teaching Addition, and an Improved Mode of Teaching it to Younger Pupils;' by J. Gregory Jones.

'On National School Kitchens for the Sick and Aged Poor;' by Rev. J. Armitstead.

'On the Importance of Combining Training in Useful Occupation with Instruction in National Schools;' by Louisa Selwyn.

'Popular Education;' by Rev. D. Nihill.

'The Effects of the Government System of Education in Small Country Schools;' by Rev. H. G. Bunsen.

'Observations Suggested by the Recent Report of the Rev. W. H. Brookfield, H.M.I.;' by Ellen Higginson.

'On the Institutions of De Fellenberg;' by Margaret Fison.

'Training Colleges;' by Rev. C. E. Bromley.

Many of the above-mentioned papers were, from the instructive nature of their contents, and the reputation of their authors, of great interest to the Department; and it is with much regret that the pressure on our space has compelled us to forego their publication at length.

The proceedings commenced on Wednesday with a group of four papers by Mr. Mann, Mr. Howson, Mr. Fitch, and Mr. H. J. S. Smith, on Examination Schemes. The first, given at length at page 200, advocated the throwing open of all vacancies in the civil service to free public competition, and pointed out the means which would secure the efficient working of the plan. Mr. Howson, in his paper 'On the Progress and probable Results of recent Examination Schemes,' after glancing at the new arrangements for examination in connexion with the army, and remarking that, in his opinion, they tended not only to increased professional efficiency, but to the maintenance of a good understanding between the highest military education and the general schools of the country, stated that the chief subjects of his paper were the examinations conducted by the Civil Service Commission, and those which have been recently established by the Society of Arts and by the Universities of Oxford and Cambridge. He described the circumstances under which these new schemes originated, and traced their progress up to the present time. He pointed out that these examination schemes will act beneficially on almost the whole range of English schools, and at the same time supplement them by promoting the habit of self-improvement—that they will tend to undermine the system of making public appointments by patronage, by gradually and safely opening the career of free competition—that they will aid in binding various sections of society together, and especially in promoting sympathy between the Universities and the commercial classes—that they will render available for all, those stores of educational experience which have been accumulated in quarters hitherto dissociated. Finally, he expressed his opinion that these schemes, if patiently watched and heartily worked, will probably result in an actual organization for combining central with local action, and point the way to a system of national education consistent with freedom of religious teaching.

Mr. H. J. S. Smith, in the paper which appears at page 211, analysed the results of the Oxford Middle Class Examination, vindicated the scheme from some of the objections which had been urged against it, and suggested the expediency of a joint action at some future time by the Universities of Oxford and Cambridge. Mr. Fitch, on the other hand, pointed out the dangers likely to arise from written examinations, in the encouragement afforded by them to mere mechanical preparation, and the tendency of such schemes as regards elementary schools to produce a few brilliant candidates rather than to secure general efficiency. In the discussion which ensued, Mr. Brown, H.M.I., and Professor Hennessey, defended the system of examination by written answers, and maintained that it was the most efficient test of the exactness and thoroughness of the knowledge, especially the elementary knowledge, possessed by the candidates.

Mr. Monckton Milnes, M.P., denied that, in adopting a system of competitive examination for public offices, they would be by any means opposing or destroying the system of Parliamentary corruption. It was the unanimous experience of members of Parliament,

that the small patronage which came to them in the way of recommending to public offices, was nothing but an annoyance, and could not by any reasonable being be supposed to have the slightest effect upon the opinions and actions of political men. He hoped, therefore, it would not be supposed that they were performing any great act of superlative patriotism, when they took away the appointment of a tide-waiter from a member of Parliament, and gave it to a public examination. He also urged that superior education meant nothing more or less than wealth, and that by giving up all offices to the best educated they would be merely giving them up to the sons of the wealthier classes. The adoption of a universal competition must, he thought, in the end degenerate into a system of routine; and he reminded the meeting that a great country, comprising a third of the people of the human race, where every single office was given by competitive examination—China—surrendered the whole of its forces the other day to a few uneducated English sailors.

Dr. Begg, of Edinburgh, contended that the possibility of all offices being confined to the wealthier classes could only arise if education were not to keep spreading and descending with the spread and descent of the competitive system.

Mr. Samuel Morley, in reply to Mr. Monckton Milnes, pointed out that the effect of the patronage system was exactly to throw all the public appointments into the hands of the wealthy, and that the tendency of the competitive system was precisely to diminish this effect. The extension of competitive examination was one of the great questions of the day, and lay at the root of administrative and other reforms.

The President, in closing the discussion, observed that he believed they were all quite agreed as to the principle that those examinations which led to appointments were of the very greatest assistance and stimulus to education. There was perhaps some danger of having ambitious and intelligent young men encouraged too much to compete for small Government appointments, which, when obtained, they would find to be such as only required very moderate attainments and mere mechanical attention. This evil, however, would probably soon cure itself. As to the patronage system, he expressed his belief that all members of Parliament would be glad to be relieved of such an annoyance, which imposed upon them the responsibility of inquiring into the character and capacity of every applicant—a task which members had not time to perform, and yet conscientiously must feel bound to attempt.

The subject of Middle Class Education was continued by Dr. Ihne, Mr. Knighton, and Mr. Howson, whose papers, printed from page 226, threw valuable light on the foregoing discussion. The rest of the day was devoted to subjects of a more miscellaneous nature, which did not excite any difference of opinion. Mr. Stephenson gave an interesting account of the operation of 'Book-Hawking Societies,' of which, he stated, there were already forty in existence. He advocated their extension as a means of diffusing the benefits of cheap

literature among the rural population, cultivating the taste for reading among parents and children, and thus acting as a direct stimulus to education. With regard to the nature of the publications which these societies ought to supply, he said that the public were but little disposed to be deluged with theology, or dragooned into Christianity. Hitherto the squires and the clergy had nauseated the simple literary taste of the working classes by the dreary morality of the tracts they had offered them, and by excluding the light literature of the day, to which the rich, as a class, well nigh confined their own reading. Good works of fiction contained instruction of the highest character, and in a form peculiarly acceptable to the half-educated mind. Even were the knowledge superficial, it were better than ignorance. How much better when it entered into successful competition with the temptations of the alehouse. In the selection of works for the catalogue, there should be no one-sided fastidiousness, but the books ought to be of an attractive character to the working man, and such as would amuse and interest while they elevated and improved him.

Professor Hennessey's paper on 'Freedom of Education,' which has been published separately, and Mr. Ruskin's contribution on 'Art Education,' which will be found at page 311, closed the first day's proceedings.

The proceedings on the Thursday commenced with Mr. Canon Girdlestone's paper on 'The Application of Charitable Funds to the Endowment of Parochial Schools,' which was followed by Mr. Melville's, 'On a Prize System as an Element of Lower Class Education,' both of which, printed at length from page 249, suggested the better employment of small endowments for the purposes of national education. The practical method of working out a prize scheme in an agricultural district was shown in Mr. G. H. Bengough's paper, which described the arrangements and results of an experiment in this direction, tried under his own superintendence.

In the discussion on these papers, a strong opinion was expressed in favour of the general adoption of some such prize system as that recommended by Mr. Melville.

Mr. G. W. Hastings enforced the necessity for dealing with the subject of charitable endowments, many of which had ceased to answer their original design, and had become injurious to the districts in which they were situated. The instance given by Canon Girdlestone had shown the possibility of applying useless charitable funds to educational purposes, and nothing prevented the same good being gradually effected throughout the country but the defective powers of the Charity Commissioners. Mr. Nash Stephenson mentioned, that the disposal of apprenticeship gifts yielded an annual income amounting to 40,000*l.*, which might be given away in prizes for competitive examinations, or in the foundation of scholarships for prolonging the education of children selected for that advantage. The President recognised the importance of the subject of charitable endowments in

relation to education, and suggested that the department might recommend the appointment of a committee to consider and report on the question at the next annual meeting. A resolution embodying the suggestion was accordingly passed, and was confirmed by the Association at the closing meeting on Saturday.

The Rev. Dr. Hume, in his paper on 'The Peculiarities and Defects of National Education in Liverpool,' pointed out that the schools in Liverpool were for the most part congregational in their character, and consequently reflected the nature of the locality in which they were situated, being rich or poor, as the congregation was wealthy, or the reverse. It followed that funds were best supplied where they were least required, and least supplied where most wanted. The arrangements of the Committee of Council being general, could not remedy local defects of this kind; on the contrary, they increased and perpetuated them. Thus there were large capitation fees in the richer schools, where the children attended regularly; they were small in amount where want of food and clothing interfered with regularity of attendance. Even when benevolence stepped in to pay the school pence, such aid was not available for school fees. Hence it appeared to be a fact that the Government arrangements for education have never yet reached those classes which most need them. As a remedy, he suggested that distinct communities should in some cases have common funds; and that it was the interest of the public to establish free schools in certain districts.

The Rev. A. J. Tomlin analysed the Minutes of the Committee of Council on Education, and dwelt on the necessity for a system of industrial training in schools for the working classes.

Mr. T. B. L. Baker, in his paper on 'Industrial Schools for Villages and Small Towns,' gave an account of an experiment which he had tried in the formation of a village industrial school. His plan was to have a piece of land attached to the school, to be cultivated by the boys, the produce of which should form part of the schoolmaster's salary. The younger children from five years old were to pay highest, as it was the greatest benefit to the parents to have them taken care of at that early age. Up to seven or eight the pay was to be reduced, but in proportion to a boy's industry and skill. At that age he ought to pay more by his labour than at five he paid by his pence. To make a boy feel that he earns his own education was better even than making his parent pay for it, as it fostered independence of character. When the boy had shown himself able and willing to work, he was to receive a piece of land to cultivate (after giving so many hours to the work of the school farm), the produce of which should be his own. This piece of ground was to be increased every year that the boy stayed at school. The temptation which besets the agricultural labourer to withdraw his child from school would thus be met, and the child would be acquiring the habit of patient toil, while retaining the power of attention and mental effort. Mr. Baker was of opinion that this scheme, if successful, would act most beneficially, and asserted that his own experiment would have been

successful, but for the impossibility of finding a schoolmaster who did not despise a spade.

The paper by Mr. Armitstead on 'Industrial Employment in Girls' Schools,' described the system he has followed with success in his own parish. To the usual industrial employments of dressmaking, washing, and household-work, cooking in a school-kitchen has been added, through which relief to the sick poor is extensively afforded. Mr. Armitstead has printed this paper separately, in order to give information on the details of his plan to any who may be desirous of establishing schools of a similar nature.

Miss Selwyn's paper on the same subject advocated the promotion of industrial training, by the establishment in every large school for the poor, of an infant nursery, to be managed by the older girls under the superintendence of a matron, of a public kitchen, a department for making clothes for the poor, and washing. For the boys, gardening and other out-door occupations in summer; in winter tailoring and shoemaking, knitting and netting. Girls trained in schools combining these various occupations, would, on leaving, be at once able to enter into respectable service, whereas at present they usually took the first place that offered, became drudges to some clever housewife who never dared entrust the cooking of her husband's dinner to their clumsy and inexperienced hands, and therefore sent them into the streets with an infant, or employed them only on hard work, for which their size and strength were unfitted. At length the burden became intolerable, the girl sought another, often still harder place, and either returned home with broken health, from over-exertion, or was compelled to enter the Union; having lost her character, she there became the associate of more advanced delinquents. In Miss Selwyn's experience of the same parish, forty young girls were found, during a single year, thus lost and degraded in one Union workhouse.

Miss Carpenter then read her paper on 'The Relation of Ragged and Industrial Schools to the Parliamentary Educational Grant,' printed in full, page 305. On its conclusion the President said that Miss Carpenter, in her warm-hearted energy, naturally took that view of the question which favoured the class of children in whom she was interested. But it was in another aspect that it had become his duty to look at them. One of the first things he had to ask was, whether the ragged class was to be considered a permanent class in the country? He contended that it would be quite wrong in an officer of the State to take for granted that there would be permanently a Ragged-school class. It arose from a wrong state of things that such a class existed, and the object to be aimed at ought to be to get that class into other schools. He did not, from the inquiries he had made, believe that the children in the Ragged School were in general the children of parents who could not pay, but of those rather who would not pay; and this, although not so much affecting the consideration of benevolent persons, was a very material subject for Government to consider as regarded the appropriation of their funds. The Government had to see that every shilling laid out was followed

by the development of increased efficiency, and had to avoid the danger of drawing children from the better kind of industrial and other schools down to the Ragged Schools. On these grounds he contended that the only way in which the Ragged Schools could well receive Government aid was through the industrial element which was connected with them. The danger of making the Ragged Schools permanent, and drawing other institutions down to them, was that against which the Government were principally compelled to guard.

Mr. Temple's paper on the teaching of social economy in public elementary schools for the working-classes will be found in substance at page 320. Mr. Gregory Jones described his patent Abacus for the teaching of addition to younger pupils, and a paper by Professor Pillans on 'Some prevailing Errors in the Education of the Working-classes,' printed at page 284, concluded the business of the day.

On Friday the Department sat in two sections. In the First, the President in the chair, Mr. Thomas Bazley's paper, entitled, 'National Education,' a portion of which is printed at page 262, opened the proceedings.

The Rev. Nash Stephenson's paper 'On the Principles on which Educational Legislative Measures should be based; and on the Need of an immediate and liberal Extension of the present Government System of Education, more especially with the View of reaching Rural Parishes,' is printed at length, page 265.

The Rev. G. H. Bunsen's paper on 'The Effects of the Government System of Education on small Country Schools,' went over the same ground as the latter portion of Mr. Stephenson's.

Mrs. Higginson's 'Observations suggested by the Report of the Rev. W. H. Brookfield, H.M.I.,' pointed out the benefits which would be conferred on lower class and charity schools by voluntary visitors aiding the teacher in his work, and thus stimulating the advancement of children.

Mr. Charles Paget gave the satisfactory results of an experiment on the half-time system of education in a rural district. The boys, instead of attending school half the day and working the other half, were occupied in farm work and school work on alternate days, by which many practical inconveniences were entirely avoided.

Mr. Nihill, in his paper on 'Popular Education,' suggested that the course of instruction should be limited within such bounds, that the subjects taken up might be thoroughly taught within the short time available. He insisted upon intelligent and easy reading, the enforcement of regular attendance, and the paramount importance of moral culture. He also recommended a system of home lessons and evening schools.

The paper by Mr. Jelinger Symons, H.M.I., on 'Union Schools,' printed at length, page 300, concluded the business of the section.

In the Second Section, presided over by Sir James Kay Shuttleworth, the first paper read was Mr. John Stewart's, on 'Art Education; its Influence on General Education and Domestic Comfort.'

The practical utility of Art Education was strongly advocated by the several speakers.

The Rev. Dr. Begg, of Edinburgh, read the next paper, 'On the Obstacles to a National System of Education in Scotland,' which is printed at page 282. In the discussion which ensued, the Rev. David Thorburn, of Leith, stated that until lately the children of the Established and Free Churches were educated in the same schools together.

Mr. M'Laren, of Edinburgh, said that, in point of fact, there was no contention about religious matters in Scotland, so that there would be no difficulty in carrying out a broad and general system. He showed that under the present system there was great confusion, and that in a small village three or four different schools, under different denominations, were endowed by the Privy Council, while one school was sufficient, thus causing a great waste of money.

The Chairman felt that he ought to make some remarks on this subject, as he had some responsibility in connexion with the introduction of the Privy Council grants into Scotland. It was well known that it was not the desire of the Government to introduce these grants into that country. The Government, so far as he had the opportunity of knowing the minds of the leading members, were always of opinion that there was little difference in Scotland on the subject of religious doctrine amongst the great body of the people, and there was greater hope in that country for a truly national system of education than in England. There was no necessity for any difference in the schools on the subject of doctrine, and there was no necessity for imposing any religious test upon the schoolmaster or upon the child. He believed it impossible for a purely secular system to be maintained in Scotland; but, on the other hand, that all the great principles of Christianity would continue to be taught in their schools. Any legislative enactment, which would secure the confidence of the people, must provide for this. The governing body should be such as to secure the liberty of the school and its common interest. There was no necessity for any security for religious instruction in Scotland, except that existing in the governing body.

Mrs. Fison's paper 'On De Fellenberg and his Educational Institutions' was then read. The paper on this subject, at page 323, communicated by Lady Byron, and written by the son of De Fellenberg, though only taken as read at the meeting, has been published, as giving a fuller account of the institutions at Hofwyl.

The Rev. W. Taylor, in a paper on 'Colleges for the Blind,' pointed out the absence of any educational institutions for the blind of the middle and upper classes, and advocated the establishment of such schools. There was a sufficient demand for them to remunerate their founders, while they would confer a great blessing on an afflicted class of the community.

The Rev. C. H. Bromby, in his communication 'On Training Colleges,' pointed out some defects in the Normal School system, and advocated the retention of normal institutions in the hands of the religious

bodies, in the event of the introduction of a national system of education.

The closing paper, by Mr. Jelinger Symons, 'How to make Common Schools more practically useful,' advocated industrial education. Mr. Symons insisted on the children being taught the knowledge of common things, without showy acquirements, and that such knowledge should be put to test by inspection, and especially by all who were interested in individual schools. He thought that the system of pupil teachers might now be superseded. Admirably useful as the pupil teacher system had been, when the training colleges lacked the pupils it supplied, they were already full to overflowing; and he believed that if the students, on leaving these colleges, became assistant masters in common schools, and were substituted for pupil teachers, not only would common schools be vastly benefited, but they would so improve the education of the older scholars, that many of them would be well fitted for entering the training colleges; the sum already spent on pupil teachers fell little short of a million, and though some advantages were secured by the system, we paid much too dearly for them, even if they were not counterbalanced by serious defects.

Before the section separated, a resolution was framed at the suggestion of the Chairman, and carried unanimously—That the Association be recommended to establish, at the next meeting, a separate section to consider the best means of promoting the trial and introduction of improved methods of instruction into elementary schools, and otherwise cultivating the science of method in teaching.

There are two subjects which, on a review of the proceedings of the Department, stand out prominently, which evidently are felt to embody the most pressing educational wants of the country at the present time—the improvement of middle-class education and the introduction of the industrial element into national schools. Not only in the papers confessedly devoted to these questions, but in others not directly bearing upon them, their primary importance is insisted on. This consentaneous expression of many minds, arriving, unknown to each other, at the same end by various routes of argument and observation, seems conclusive as to the immediate objects on which educationalists should exercise their zeal.

The Association can assist the second of these objects by spreading a knowledge of what has been already effected, and by encouraging experiments in the spirit of the resolution given above. To those interested in the first, it will afford what they now need most—a means of checking and supervising their work, and of recording year by year the progress and results of their exertions.

PUNISHMENT AND REFORMATION.

CAUSES AND PREVENTION OF CRIME.

Prevention of Crime. By JOSEPH HUBBACK.

IN this paper I wish to consider how children are to be protected against the temptation to crime. Believing that education in the fear and love of God must ever be the foundation on which the necessary protection can be raised, I shall confine my remarks to an inquiry as to what class it is that the present provision for education fails to reach. Now, in most districts schools abound; the children of the various grades of society, from those of the peer down to those of the honest and well-to-do labourer, are amply provided for; and although all may not be conducted on so good a system as we could wish, still, they are gradually improving, and few parents among the labouring classes, if they have the will, find any difficulty in getting their children tolerably well instructed on payment of from *2d.* to *4d.* per week. The children therefore for whom provision must be made, are simply those who, by reason of the vice, neglect, or extreme poverty of their parents or relatives, receive no benefit from the general school establishments now existing, and are consequently growing up without any education, and unless these children, who are leading a life of vagrancy, mendicancy, and petty infringement of the law, are rescued in time, the majority of them are almost certain, in the very nature of things, to become criminal. If, therefore, whilst still keeping an eye to the progressive improvement of existing school establishments, a plan can be adopted whereby the uncared-for and utterly-uninstructed may be rescued from their ignorance, much juvenile crime would be prevented, and even the work of what may be called national education, will be both narrowed and simplified.

The schools which seem required for the children whom the present general provision for education fails to reach, I would class thus—

1. Free Day Schools.
2. Free Morning and Evening Schools.
3. Industrial Feeding Schools.
4. Refuges.

Notwithstanding that during the last ten years many Ragged

Schools, both day and evening, have been, through private benevolence, established in various parts of the country, they are of themselves totally inadequate to reach the root of the evil.

True, a few years ago the Privy Council began to grant aid to industrial feeding schools, and in consequence of this assistance, a considerable impulse was given towards establishing such institutions; but, by a late minute of the Council which is intended to come into operation next year, nearly five-sixths of the customary grant will be withdrawn. Unless this minute be rescinded or modified, there is a risk of even the present inadequate school provision for the dangerous and destitute being diminished. In regard to the class of children for whom the schools I have mentioned should be provided, I would describe them thus:—

1. Free Day Schools—Children whose parents, relatives, or friends are able and willing to give them food, clothing, and lodging; but, unable or unwilling regularly to pay the weekly pence—2*d.* or 3*d.* Free schools must either be opened for such children, or arrangements be made with the managers of existing schools to receive them free of charge.

2. Free Morning and Evening Schools—Children in full or partial employment, particularly those who are occupied in some calling in the streets. These children might have a badge denoting to the public that they are under care and instruction during a certain portion of the day.

3. Industrial Feeding Schools—Children who, having no parents, relatives, or friends, able and willing to control, educate, or feed them, are accustomed to wander about the streets 'foraging' for a subsistence. The food offered at these schools is the first great attraction; being retained all day, elementary instruction and industrial training are gradually imparted to them. They should go to such homes as they have at night, but, for exceptional cases, lodgings or dormitories ought to be provided.

4. Refuges—Children having no homes whatever. For these provision must be made for instruction, food, clothing, lodging, and industrial training.

Each of these four descriptions of schools has already been tried in various towns with more or less success.

In order that such schools should be opened and carried on efficiently and adequately to the wants of large towns, it will be necessary to provide funds for their support—to possess the power, under certain conditions, of detention—and also the power to compel neglectful parents to bear, when able, the expense of their children's training and maintenance.

The sources from whence the funds should be drawn appear to me to be:—

1. The Poor Rates.
2. The Consolidated Fund.
3. Parents of children able to pay.
4. Voluntary contributions.

By an Act of Parliament, 18 and 19 Vic., 'To Provide for the Education of Children receiving Out-door Relief,' Boards of Guardians have permissive power to pay to the managers of schools the cost of educating all the children of paupers who may be receiving out-door relief. This clause in the act was adopted, I believe, at the suggestion of my friend, the Rev. George Hans Hamilton, many years Chaplain of the Durham County Gaol, and now Vicar of Berwick-upon-Tweed. Being anxious to know how the clause had been found to work in his neighbourhood, I wrote to Mr. Hamilton for information. This is his answer:—

The Vicarage, Berwick-upon-Tweed,
Sept. 16, 1858.

My dear Sir,—It gives me very much pleasure to state to you the great advantages conferred upon this town and neighbourhood by the systematic working of the Permissive Act, enabling Boards of Guardians to pay the 'school wages' of the children of out-door paupers.

Having had the pleasure to suggest to a Committee of the House of Commons that such permission be given to guardians, I have now also the pleasure of working the system in this Union as Chairman of the School Committee. Our plan is this:—The relieving officer of each district in the Union takes from his books the names and ages of all children who are of an age to attend school, and reports to the Board whether or not they are attending any school. Those that are found to be systematically absent from school, are through their parents offered the advantage of *free* schooling, and the Board name a cheap school in each locality to which pauper children may be sent; and they supply the master or mistress of each of these schools with a book ruled in proper form, to register the attendance of the children. The relieving officer enters the children of the neighbourhood in this register at the beginning of each quarter, and the School Committee pay the master or mistress the school wages at the end of each quarter for every week in which a child has attended four full days. Thus the schoolmaster is made aware of what children in his immediate neighbourhood the Board are willing to pay him for, and he is induced to use his influence to get the children to attend regularly, by knowing that he will not be paid for any week wherein a child has not attended four full days.

The result of this system is now most satisfactory. It has been worked for upwards of two years, and for a comparatively small outlay *every* out-door pauper child of the proper age in this Union is receiving an education suitable to its condition of life.

Yours most truly,
Joseph Hubback, Esq. Geo. Hans Hamilton.

Unfortunately, the Board of Guardians in Liverpool has declined to act in a similar manner. Were the permissive made a compulsory power, so that all the managers of schools who receive and educate the children of out-door paupers should have a legal claim against the Board of Guardians, a class of children in our large towns would be rescued who at present are totally uneducated, and are virtually 'criminals in embryo.' This power was intended to have been given in Sir S. Northcote's Industrial School Bill of 1856. The present bill—Mr. Adderley's—passed in 1857, being without it, is, I fear, almost totally inoperative. Until Mr. Adderley's Act is amended, made in fact more in accordance with the principles of the Dunlop Act. now working so well in Scotland, but few industrial schools are likely to be certified in England.

Having filled the office of Honorary Secretary to the Liverpool Industrial Ragged Schools* since they were opened in 1849, I desire to bear witness to the advantages arising from industrial training. In all schools I would urge upon the managers the necessity of devoting some portion of the day to industrial occupation. Speaking from my own experience, industrial training has been one of the chief elements to which, under the blessing of God, I must attribute the success which has attended the Liverpool schools. As one branch of industrial occupation in connexion with all the schools in Liverpool, it would be very desirable to have a training ship in the Mersey. Without intending to depreciate in any respect the good which, I trust, is being effected by means of the 'Akbar,' it does appear to me that so popular an occupation among boys as that of learning seamanship, should not be confined to the criminal class alone.

Advocating industrial training of some description or other as one of the best means of making schools attractive, so as to catch the 'city Arab' and prevent him becoming a criminal, I will conclude with the words in one of my late Annual Reports of the schools to which I have referred.

To take a child who has been accustomed to roam about in almost unbridled freedom, and attempt to keep its restless body still during the long school hours of a whole day, and its brain for the same length of time on the stretch, while receiving the rudiments of instruction, will always prove utterly futile. Most children like occupation; something for the hands to do, and something which they can understand and appreciate, is an inexpressible relief. Books are not generally interesting, till the mechanical difficulty of learning to read is conquered. But many a boy and girl will really strive hard at their lessons in the morning, when they know that the afternoon will be spent in the work-rooms. Whenever a child sees the result of its labours, and knows and feels that it can do with its own hands something profitable, there is a germ of self-respect; and then comes the desire for self-improvement—the wish to learn—the feeling that even

* A brief account of this Institution may be here not altogether out of place. The schools were opened in March, 1849. During a period of nearly nine years 1157 boys and 517 girls, according to the last published Report, have been admitted. The total expenses have amounted to 7,851*l.* 6*s.* 11*d.* The average daily attendance has been 105. Thus the cost per head per annum is 8*l.* 5*s.* 9*d.* But as the childrens' *net* earnings from their labour realized 1025*l.* 1*s.* 8*d.*, or 1*l.* 1*s.* 7*d.* per head, the actual cost was reduced to 7*l.* 3*s.* 2*d.* per annum. This charge will, I think, contrast favourably with the maintenance and education of children in parish workhouses, parish industrial schools, prisons, or even reformatories. With reference to the condition of the 1674 children admitted, I may mention that before a single child is received into the schools, its individual case is specially inquired into. The general qualification for admission may be thus summed up—that which disqualifies the child from getting either education or moral training anywhere else—the schools, in fact, are truly preventive. It may be asked, what have been the results? Without going into particulars, they are briefly thus: the boys and girls who have obtained situations from the Liverpool Industrial Ragged Schools have given such general satisfaction to their employers, that there is no difficulty whatever in finding employment for the children who have been educated and trained in the Institution.

it is of some weight in the social scale; and, instead of an unprofitable, or even mischievous member of society, the little outcast becomes, in time, self-supporting, and, of course, the source of benefit to others.

On the Crime of Liverpool. By Rev. Thomas Carter, M.A., *Chaplain of the Liverpool Borough Gaol.*

If we desire to form anything like an accurate idea of the extent of crime in Liverpool, we must of course go to official returns and rely chiefly on their evidence; and in doing so, we must be careful to distinguish between mere offences which do not belong to the class of crime, though embraced under the general head of 'criminal statistics,' and those graver breaches of the law which do come within that category.

The time allotted to me will not admit of a very minute analysis of the last published Police Returns, those referring to the year ending 30th September, 1857. I must be content to set forth merely a summary of the general heads, and leave it to those who wish to be more scrutinizing to examine the details at their leisure.

It appears by the Returns referred to, that the reported number of *cases* of crimes of a more serious nature, not punishable by summary process, but triable by jury, amounted to 6678. The number of individuals apprehended on 2771 of those charges was 3295, or within a fraction of one-half of the offences reported to the police; of these 2088 were discharged by the magistrates, and 1207 were committed for trial, and were thus disposed of:—

685 were sentenced to various periods of imprisonment.
148 were sentenced to penal servitude.
7 were transported.
12 were sent to reformatories.
1 sentenced to death and executed.
2 sentenced to death, and afterwards reprieved.
(These three, it will be remembered, were for an offence committed on the high seas, and ought not to be counted amongst Liverpool cases.)
On 15 sentence of death was recorded, or were sent to lunatic asylums, or were discharged on their own recognizances.
222 were acquitted; and
115 were left for trial at the date of the Return.

Of offences of a less serious character punishable summarily, there were reported 19,895, on which there were 21,080 apprehensions; of whom 8810 were discharged by the magistrates, and 12,270 convicted.

Of these convictions—

3709 were committed to prison for various periods.
8216 were fined, with the alternative of imprisonment in default of payment.
76 being offenders under sixteen years of age were whipped; and
269 were otherwise punished.

Or, in other words, taking the more serious of the minor offences, the indictable and the summary together, there were reported to the police 26,573 cases, on which there were 24,375 apprehensions, and 13,255 convictions; that is to say, the convictions were exactly in the proportion of one-half of the reported offences.

In addition to these, the Police Returns embrace 13,054, or about an equal number of cases proceeded against by information, on which there were 10,904 convictions; but as these were under our local acts—police, dock, and sanitary—and were not charged as offences involving dishonesty, they must of course be excluded from criminal statistics.

Still there is no evading the fact which the figures before us reveal, that we are living in the midst of a deplorable amount of vice and crime; and great as this is proved by ascertained facts to be, it is not unknown to any one acquainted with our population that there exists a still further amount, less apparent to the public eye, and of which we possess no tangible records—crime which eludes the cognizance of the police, and which no police, be it ever so efficient, can possibly restrain.

To speak of this in detail, or to approximate even to an estimate of its amount and extent, will hardly be expected of me. I can merely point to one or two of its fruitful sources; and amongst these, as that which first and foremost calls for notice, I may name the abominable casinos and dancing saloons, of which so much has lately been said. These places are of course all known to the police as licensed houses; but the iniquitous practices carried on there, both openly and secretly, though of a grossly immoral and vicious character, are kept within the windy side of the law, and are not known except in their issue and their consequences. Here young men engaged in various employments in the day-time, some in merchants' and brokers' offices, and others in the different large trade establishments, assemble in an evening, where they are brought into contact with everything to excite the baser passions. My position has made me acquainted with many cases wherein young men have dated their overthrow from their participation in these excitements. These places are dangerous to all who frequent them; but peculiarly are they so to the inexperienced youth, who so frequently find their way to Liverpool from other towns and districts for their mercantile education—living in lodgings, removed from the wholesome restraint of a parent's eye, and other home influences, they seek such scenes, probably, in the first instance, with no sinful desire, possibly, with no other motive than to while away a tedious hour. Here, amidst the laugh, and the song, and the jest, their former steadfastness soon gives way; moral defilement is contracted; expenses are incurred, which their reasonable allowances cannot meet; and embezzlement of their employers' property is too frequently resorted to to supply the means for their sinful indulgences. Only too many instances of this kind have come within my own notice, but those have been sufficient to convince me that they have been a very small portion of what occur and escape detection.

Neither is the evil influence of these places confined to our own sex; they would be bad enough if only visited by females of known profligate and abandoned character; but they are worse, from the undeniable fact that here, too, numbers of young women occupying positions of respectability—I refrain from being more pointed—first acquire a fatal familiarity with vice. The number of places of this character existing in Liverpool, known under different names, open every night, and some accessible all the night through, I do not pretend to state with accuracy; but from reliable information which has reached me I think the following may be received as a pretty near approach to the truth. There are six or seven dancing saloons, four of which are frequented by prostitutes, the others by females whose characters are questionable, but to whom that reputation does not openly attach. Of cigar divans and singing rooms, frequented and mainly supported by known prostitutes, the number is understated at twenty-five. There may be named at least thirty licensed public-houses, to which (though ostensibly closed at regular hours) access may be had by prostitutes at any hour of the night, and six or eight not licensed which do not even profess to close their doors; and the average nightly attendance in one alone under the first denomination has been ascertained to be upwards of seventy females and a hundred males. What can the effect be on those who witness and participate in the scenes exhibited in these places, where the most debasing licentiousness reigns, but to deaden what may remain of moral sensibility, and render the commission of overt acts of statutable crime at any time a natural, if not ultimately a certain, consequence? And to render these places more noxious still, apologists are found for them in quarters where we should least expect to hear their defence.

But I must pass to another source of crime which certainly prevails to a large extent in this town, and which yet fails to attract much of public attention, or to be permanently noticed in our published criminal statistics—I mean the reckless carelessness of the sailors who visit the port. These men are often victimized to a fearful extent. The number of men before the mast shipped in British vessels in Liverpool during last year was 45,723; the number discharged or paid off during the same period was 40,696. Of foreign seamen of all nations it is estimated that there were about the same number; or, at all events, the two together, at the lowest computation, may safely be set down at not less than 80,000, who passed in and out of the port during the period of twelve months. Now I will detail as briefly as I can the process of systematic robbery, by certain boarding-house keepers, outfitters, and prostitutes, to which I know numbers of these poor fellows are exposed. Many of the two former have boats on the river of their own. A vessel is signalled as having 'passed the head' (Holyhead); she may be expected up with the flowing tide. The boarding-master is on the alert; he proceeds, with a number of riggers in his boat, to meet the vessel as she comes up the river; he is prepared with liquor, often drugged, for the purpose of producing partial insensibility. Should it be at the period

of neap tides, or during a scarcity of dock-room, the vessel must come to anchor in the river, and wait a longer or shorter period, till there may be sufficient water and space to admit of her being docked. The vessel is boarded; the sailors, after the tedium, and maybe the hardships, of a long voyage, are anxious for the shore; a man agrees with a rigger to supply his place on board, and he is brought on shore by the boarding-house keeper, who *in transitu* supplies him freely from the bottle previously provided and prepared, and which, ere he sets his foot on shore, has half done its work, producing that state of stupefaction which renders the man ignorant, or at all events regardless, of what he is doing. On landing, he is now taken to the tailor's or outfitter's, and provided with a new 'rig' throughout, for which he is charged most enormous prices. I know of one instance wherein the sailor was supplied with four pounds' worth of clothing, for which he paid ten pounds. The boarding-master receives a commission on these transactions. The sailor is then conveyed to the boarding-house, which is to be his asylum whilst on shore. There his chest is deposited, containing his supernumerary wardrobe. He is supplied with a temporary loan by his host, regulated in its amount by his probable wages. On this he enjoys himself in his own way—I need not say how, as such details are not intended for ears polite. In due time—a week or ten days, more or less—the ship's hands are paid off, and then, in most courteous attendance upon Jack, are to be seen—first, the rigger, his substitute, who is paid sometimes according to previous agreement, and generally at the rate of 7*s.* 6*d.* a day; secondly, the tailor, with his untaxed bill; and thirdly, the boarding-house master, who, having seen the two other claimants *honourably* paid, carries off his man and the remainder of his money, to satisfy his modest demands. Should his wages be so high as to leave any remainder, Jack becomes an object of solicitude to some frail one of the softer sex and her sisterhood in vice, who again, in instances by no means rare, have a good understanding with the boarding-master; and the result is that the sailor next day finds himself relieved of every shilling of his superabundant cash, and denuded of the greater part of his new clothing. Still the boarding-master remains his friend—he is too humane to desert him in his extremity, to which he is told his own folly has reduced him. He kindly gives him shelter till another ship is found for him. The seaman 'signs articles' for a fresh voyage; the advance-note is issued, which the boarding-master discounts for him at an exorbitant rate, and on this he provides himself with what articles may be necessary for his new outfit; and then, and not till then, the boarder and the boarded have a common interest, which is best served by the latter finding himself under weigh, when he sails with the former's cordial good wishes that he may have a prosperous voyage, and a speedy return with another golden fleece on his devoted back.

This may seem like an imaginary picture, but indeed it is no fiction—it is what is occurring every day in the year. Sometimes the delinquents are detected and punished, but in far the majority of

instances they escape exposure; and that immunity, and the temptation of their large gains, stimulate them, at any risk and any exposure, to continue the nefarious traffic. I know one of these parties (one in a small way of business, certainly), a returned convict, whose acquaintance I first formed fifteen years ago, and lately renewed. He told me he was now living honestly; but I found, on close inquiry into his welfare and well-doing, that he finds it expedient occasionally to 'retire into private life'—to take a turn at the sea, as he expressed it, and leave his wife to manage the business. The fact is that the man alluded to kept a small boarding-house, and was also one of a class called 'blackballers' (why so called, I don't know), who occasionally make a chance voyage in American emigrant ships, with no other object than to plunder the luggage of the emigrants I have heard of one of this fraternity who returned from an adventure of the kind with forty-five pounds' worth of wearing-apparel in his possession, and other inconsiderable trifles beyond the amount of his wages, obtained in this way. Of these depredations, which I have reason to fear are carried on to a considerable extent, we hear little or nothing in this country; they cannot appear in our police records, because the offences are committed beyond the limits of our jurisdiction, and under circumstances which almost always elude detection.

Now in what I have said of boarding-masters and their practices, I do not wish it to be understood that I believe all to be equally avaricious (to use the mildest term); on the contrary, I cheerfully bear testimony to some honourable exceptions; but I have laid open a great social evil to which we are exposed in this town, and I do not fear the least contradiction in a single statement. It is true the Sailors' Home was established in a great measure to prevent this state of things, and to protect the sailor from imposition and robbery in the quarters I have named; and admirably does it answer the object of its promoters to a very large extent, under the vigilant direction of its intelligent superintendent, Captain Ainley. But sailors are a peculiar race, and no one can regret more than that able officer does the difficulty of so convincing them of their own real interest and welfare as to induce them to avail themselves of the protection and advantages afforded by that admirable institution. The sailors, however, as a class, must not engross too much of our sympathy; they, too, appear conspicuously in our criminal records. The police returns do not show it, but my own journals supply me with the information that thirteen per cent. of our male commitments have reported themselves mariners. Many of these have been committed on the general charge of desertion, but in nine out of ten of these cases we may set it down as a certainty that some one has been robbed.

I have now given some faint outline of the extent of crime in Liverpool, first, as recorded in published criminal returns, and secondly, as existing to no inconsiderable degree, though not appreciable by figures.

It will not be said that the worst has been made of it; on the

contrary, I fear my partialities as a Liverpool man have rather inclined me to suppress some points which I may have considered of minor importance. But few years have passed away since Liverpool had the unenviable character of being one of the most unhealthy towns in the kingdom, a reproach which, however, has been expunged by the excellent sanitary influences which have been brought so effectively into action; and it is much to be regretted that we cannot with equal promptness and energy rid ourselves of the notoriety which, it must be acknowledged, we still possess in vice and crime. I think we are improving—indeed the figures of the past year, as compared with the foregoing, certainly show amendment. Mr. Jelinger Symons, in his paper 'On Crime and Density of Population,' read before this department last year, stated that the offenders in Liverpool were, in 1855, one in every twenty-four inhabitants. I find that in 1857 they were reduced to one in every thirty-two.

As to the causes of crime, they are many and various—so various, indeed, that I can but slightly touch upon some of them. Several, of course, are common to all densely crowded communities, and there are not a few which are peculiar to Liverpool. The two leading evils I need scarcely say are drunkenness and prostitution; special allusion to the latter is rendered unnecessary by a paper which will be read in the second section of the Social Economy department to-morrow, and I am glad to be relieved from its discussion here; of the former, the police statistics return the number of 11,439 cases as drunk and drunk and disorderly; of these, 5186 were discharged when taken before the magistrates, having been 'booked for safety;' they had been too far advanced, indeed, to be disorderly; in fact, were so helplessly drunk that they were incapable of taking care of themselves.

These figures, enormous as they prove the vice of drunkenness to have been, I am sorry to say, fall far short of the extent to which that curse prevails; those are cases wherein no other crime has been involved; beyond those there exists a large amount of offences enumerated under other heads in the published returns, which have been committed when either one party or the other—the offender or the offended, or both—have been under the influence of drink.

To some other causes of crime I have already incidentally alluded when speaking of its extent, and on these topics I shall say no more; I must also but sparingly allude to what remains to be noticed. That marine-store dealers offer a great encouragement to crime in the ready facilities they supply for disposing of stolen property will easily be believed; many of these do a considerable business in stolen cotton—a traffic carried on to a great extent; and this is the mode in which it is conducted: generally an old woman stations herself at the corner of some thoroughfare in the vicinity of the docks, and employs three or four young children as scouts, who are thus early trained to crime; these children tear a handful of cotton from a bale as it passes and convey it to the receiver, who disposes

f it about her person till she shall have acquired a sufficient quan-
ty to remove to the dealer, from whom she receives three-halfpence
pound; others loiter about the cotton warehouses, and in not a few
istances establish an understanding with the porters employed
nerein on terms which I shun to reveal. This source of crime will
ot appear inconsiderable when I state that I have in several in-
ances found a woman's plunder to amount to half-a-crown a day;
, is easily acquired, as easily concealed, and when once the small
arcel reaches the dealer's bulk it can no longer be identified.

There are many receivers also who are not licensed as dealers,
nd these, perhaps, are the more mischievous of the two, though not
ne more numerous. Some of these have business connexions in
ther towns with whom they interchange their stolen property.

I may next refer to a very fruitful source of crime, which is so
ianifest and so easily restrained, if not removed altogether, that I
iink great blame is attachable to us for permitting its existence for
single day. I allude to the wholesale exposure of goods at the
oors of many tradesmen in the town. We have no right to cast
ne temptation intentionally in the way of the needy and the un-
able, and then punish him for yielding to it. The practice cannot
e reprehended in too strong terms. The learned Recorder in some
istances disallows the expenses of prosecutors who have been
obbed through their own negligence and carelessness in this
spect; but the rebuke fails to have any effect other than to
ender the shopkeeper indifferent about prosecuting in any subse-
uent loss.

Other extensive causes of crime are to be found in the peculiar
osition and circumstances of Liverpool—the great outlet and
oroughfare, indeed, from and to almost all parts of the world;
nere are an immense number of strangers constantly passing through
;—these, like the sailors, to whom I have already alluded, though
ot thieves themselves, are the subjects upon whom robberies are
ommitted, and are too often the dupes of the crafty and the design-
ng. During the year 1857 not less than 155,652 emigrants passed
hrough the town; the number of immigrants from Ireland is by no
neans inconsiderable. By the police returns there appears to have
een a wide range of late years—during the last seven—varying
rom 283,500, the highest, in 1851, to 88,670, the lowest number, in
855. It would doubtless be an interesting and instructive inquiry,
nd might form a subject for a separate special paper at some
ubsequent meeting of this association, to ascertain the exact circum-
tances under which these people have left their fatherland—the
auses which have impelled some to depart, the objects which have
ttracted others—their circumstances and prospects—their destination
nd distribution. The sojourn in this town of the majority, no
loubt, is very brief, their object being to embark for foreign lands;
thers, harvest labourers, pass away into the interior immediately on
anding, and few only settle down as permanent residents in the town
—these, though, are generally the most destitute, many of them

paupers or without any visible means of obtaining a livelihood; they soon become mixed up with our ordinary population, their means of subsistence are, of course, very precarious, and under such circumstances it can be no matter of surprise to find the Irish forming by far the larger part of our criminal population. Of the 24,375 offenders in custody in 1857, it appears that 6524 were born in Liverpool; 9684 were born in Ireland; 1027 were born in Scotland; 6255 were born in other parts of Great Britain, and 855 were foreigners; of 9525 of both sexes and all nations convicted and sent to the Borough Gaol alone, the following is the division as to countries:—

	Males.	Females.	Total.
Born in Liverpool and other parts of England	2699	2402	5101
Ireland	1719	2182	3901
Scotland	117	92	209
In Foreign Countries	276	38	314
	4811	4714	9525

Of the males embraced by these figures (the females I have not inquired into), I have ascertained that sixty-seven per cent. of the foreigners, thirteen per cent. of the Irish, forty per cent. of the Scotch, and twenty-five per cent. of other strangers, have been resident in Liverpool under one month.

Of the Irish, seventy-four per cent. have been resident upwards of three years, whence we may conclude that the detected and punished crime is not to any serious extent committed by the merely casual Irish, but by those who have acquired a fixed habitation amongst us.

It will have been remarked, perhaps, that the few figures I have just given exhibit an excess of Irish women committed to gaol over the men; and this general feature of the large proportion of females—greater perhaps than in any part of the kingdom—has been more than once remarked upon by the Recorder in his charges, and must have attracted the notice of gentlemen who have from time to time served on the juries at our sessions. It indicates a vast social calamity, and the reason why we bear so unfavourable a comparison with other towns in this respect, is to be found again partly in our peculiar geographical position. When any unhappy girl departs from virtue and is pointed at by her neighbours in the small towns and districts in Ireland, she makes her way to Dublin, and so on to Liverpool, where she may hope to escape from the reproaches which she cannot endure, and where she expects to meet with ready employment in domestic service. On her arrival she finds a difficulty she did not anticipate; the few shillings of her worldly store are soon expended—next her clothes find their way by degrees to the pawnbroker; of necessity a low lodging-house is her home, and in desperation if not by design she is driven to the streets for her daily bread. She by and by acquires intemperate habits; all remains of self-respect soon disappear, and in addition to her other vicious propensities she acquires that of a thief. This I know to be the sad history of hundreds, not from Ireland alone, but from our own manufacturing districts also, who swell our criminal returns.

Once more, the many opportunities for petty pilfering afforded by the unprotected and exposed state of a still considerable area of our dock-quays and graving-docks is the last source of crime which I need name as peculiar to this great seaport. These opportunities, I am glad to say, are not so numerous, nor are they so fruitful of evil as I remember them to have been in former years.

And, lastly, I must refer to a few other general causes of crime not peculiar to this town alone, and I must do so but lightly, not because I think them of minor importance—far from it—but because I fear I have already trespassed beyond reasonable bounds on the time of the members; and as not the least amongst other demoralizing influences at work yet unnoticed in criminal statistics, may be mentioned certain betting-houses, of which not less than a score can be pointed out by name; these are licensed public-houses the proprietors of which are on the turf, and in all of them betting, and in most gambling, is a constant practice. Their existence is, of course, known to the police; but who can estimate the alarming extent of the mischief and crime which they engender?

It cannot but be well known that we are surrounded by a very large amount of distress at all times and at all seasons of the year, and though I must acknowledge, and I do so with pride, that the poor of Liverpool have borne their privations with most exemplary patience on many very trying occasions, still pinching poverty, and distress consequent thereon, we know only too well has driven, and does always drive, numbers to the commission of crime against which they have long made strong resistance.

Crime, it has been shown in the paper by Mr. Symons, to which I have alluded already, exists in proportion to the density of population. This conclusion is incontrovertible. The lower parts of the town and those districts bordering upon the docks, whence so many of our prisoners come, literally swarm with human beings, and strongly support Mr. Symons' theory. There it is no uncommon thing to find, as I have myself witnessed, from three to six families living in one house, and that house of very small dimensions—not, indeed, larger than would be adequate to the decent accommodation of one or two; and why should I do more than barely hint at the frightful consequences which must flow from the necessarily imperfect separation of the sexes in these hives,—these morally and physically pestilential dens? What influences can hold sway therein, but influences of a vicious tendency? We must look in vain for any indications of moral feeling—religion exercises no restraint there—every man does and says what is right in his own eyes, and the law only is respected when its power cannot be resisted.

Next amongst the conspicuous causes of crime is idleness. Liverpool contrasts very unfavourably with other large towns in the north of England, in its want of occupation for the younger branches of the community; we have no manufactories here employing children from the age of thirteen years and upwards. The factory system has its own peculiar objections perhaps, but in the full employment which

it provides for all ages, it at all events protects its employers from the evils so rife here and in places where there exists a like scarcity of employment for the rising population. This general dearth of useful occupation for the young is a serious disadvantage to females: hence the swarms of what are called basket-girls, hawkers of sand, chips, rubbing stones, fruit, fish, vegetables, and such like—a race of women constantly growing up in the midst of us whose acquaintance with vice and crime dates, it is to be feared, from their earliest days.

We hear much in all discussions on criminal statistics of the amount of ignorance prevailing amongst that part of our population, and want of education is almost always put forward as a leading cause of crime. I do not wish to demur to the inference, but it may not be out of place here to remark, that very little reliance is to be placed on the information on this head derivable from any published returns. The faculty of mere reading and writing is very fallacious as a criterion of a man's education, but accepting even that standard as indeed the only one perhaps within our reach, we must not confide in it. It is a matter of constant occurrence with me to find a prisoner's educational condition misstated, and I have therefore taken steps at different periods to ascertain from actual investigation their precise amount of proficiency, as well in religious as in secular information, and on comparing my investigations under the latter head with their condition as reported in our public documents, I have found a coincidence in forty-six per cent., and that in nearly four-fifths of the remaining, wherein there existed a discrepancy, the degree of instruction was *higher* than reported. The following is in few figures a summary of results from actual and personal investigation, adapted to the usual official returns:*

	Males.	Females.
Neither read nor write	12 per cent.	35½ per cent.
Read only	21½ ,,	42 ,,
Read and write imperfectly ...	38⅔ ,,	12⅔ ,,
Read and write well	26 ,,	10 ,,
Well educated	2 ,,	—

The criminal statistics exhibit a state of things widely different from this. As to the *religious* education of the same individuals—the point certainly of most importance in bearing in its influence upon their lives and conduct—I submit the following results of my inquiries:—

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* Reported State of Education.

	Males.	Females.
Neither read nor write ...	1179 or $35\frac{592}{727}$ per cent.	1119 or $44\frac{243}{727}$ per cent.
Read only	454 or $13\frac{576}{727}$,,	854 or $33\frac{497}{727}$,,
Read and write imperfectly	1538 or $46\frac{625}{727}$,,	532 or $21\frac{87}{727}$,,
Read and write well ...	114 or $3\frac{330}{727}$,,	19 or $0\frac{547}{727}$,,
Well educated	7 or $0\frac{165}{727}$,,	0
Males	3292	2524
Females	2524	
Total	5816	

1. *Utterly ignorant*—by which term I mean those who, in some instances, knew not even our Saviour's name; in others, were unacquainted with the nature of his office, or any of the circumstances of his history, beyond his birth and death. Males, 31⅓ per cent.; females, 50 per cent.

2. *Imperfectly instructed*—including those who possessed a confused knowledge of the leading incidents of our Lord's history, and that he came into the world 'to save sinners,' but very little beyond. Males, 35⅓ per cent.; females, 28 per cent.

3. *Tolerably instructed*—comprehending those whom I found possessing a slight acquaintance with the Scriptures, and who could give some account (although often but an approach to the truth), of the scheme of man's redemption. Males, 23⅓ per cent.; females, 13⅓ per cent.

4. *Intelligent*—more or less versed in the leading doctrines of Scripture. Males, 10 per cent.; females, 8⅔ per cent.

These figures require no comment; they cannot but suggest the most serious reflections to the mind of the social inquirer, the philanthropist, and the Christian.

But I must pass on. I have spoken of the extent of crime and its causes, may I trespass on your patience a few moments longer whilst I endeavour (hastily it must be) to suggest a few remedies? In a word then, it is an intuitive truth in social as in other sciences, remove the cause and the effect will cease; and *first* shut up casinos and dancing saloons, or, if that be impracticable, place them under more stringent regulations.

Reduce the number of public-houses, by adherence to the principle adopted with so much wisdom and discrimination at the last licensing sessions—place beer-houses under magistrates' licence—let the punishment for drunkenness be visited upon the publican who permits it—and keep a more vigilant eye on marine store-dealers.

Restrain, by a more energetic enforcement of the existing police act, the present wholesale exposure of goods at shop doors. If the provisions of that act do not reach the evil, let the act be amended at the earliest possible period.

Repress prostitution by suitable agencies, and by giving existing laws their full scope. Extend ragged-schools in all the low districts of our town. Supply extended means of education, particularly industrial training, and more especially that of females. Promote the recreative amusements of the labouring classes by the supply of such occupations as may have a tendency to elevate their minds—cheap concerts—popular lectures on familiar subjects—public libraries—cheap and wholesome literature. Provide better dwellings for the poorer classes, and keep lodging-houses within reasonable limits as to numbers accommodated in each, and prohibit the mixing of the sexes when not members of the same family.

The low—nay, may I not say the abject—condition of the female criminal population of Liverpool calls loudly for the sympathy of the ladies of Liverpool; why do they not step forward to put forth their

own peculiar influence and energies in behalf of the destitute of their own sex? We have already three female penitentiaries for Protestants, but they are all full, and one for Roman Catholics, but recently opened; we have also a female refuge for women to whom the reproach of prostitution does not attach; and two girls' reformatories, certified under the Youthful Offenders' Act; all excellent institutions, but insufficient. We have, moreover, a ladies association for the employment of needlewomen, but why have we not a similar one for the protection of women generally, one of whose objects should be to promote their more general employment in the various tradesmen's establishments in those offices and occupations now so inappropriately filled by men. Another object might be to promote emigration for young women who have forfeited their chances of honourable employment in this country, but who may hold out fair promise of better things when surrounded by other and happier influences. There is a large class of young women driven to the streets and to prison, if not by defects in our workhouse and industrial school system, at all events by the absence of succour and occupation for those who have once been the subjects of it—shall these appeal to their more favoured sisters in vain?

As a further remedy, I can confidently affirm that the result of the reformatory action in this town will justify its continuance and extension; during the year ending 30th September, 1857, 467 juveniles were remanded to prison for inquiry as to their fitness for reformatory treatment, of whom 233 were sent to various reformatories; but during the year ending 30th September last, 288 were so remanded, of whom only 117 were sent to reformatories, or just half the number of the previous year,—a very striking contrast; and equally satisfactory is the gradual diminution in the number of juveniles of both sexes, under sixteen years of age, committed to the Liverpool gaol during the years of the operation of the acts above alluded to; they were during the three years ending 30th June, 1856, 733; 1857, 648; and 1858, 444, respectively.

I attribute this result mainly to the earnest manner in which the magistrates of Liverpool have availed themselves of the Youthful Offenders' Act, and the determination they have shown to enforce in all possible cases the clauses affecting the parental responsibility.

And lastly, as to deterrents: I think our prison system, in many respects, not only admits of but calls for improvement—I speak locally. It is known to all, of course, that in Liverpool we possess one of the largest, if not certainly the largest prison on the separate system in the kingdom, but it is perhaps not so well known that, even with the large accommodation of 1000 separate cells, we have for a long period been compelled by want of room to associate a very large number of females, and that too, I fear, under circumstances more prejudicial to reformation than the system of necessity followed at the old gaol. The separate system, then, under which the Liverpool gaol is understood to be conducted throughout is not fairly tested; yet, notwithstanding these disadvantages, it is a pleasing fact

to record that the commitments during the year, ending 30th September last, were less than they have been for the last fourteen years.

Again, I think our dietary is formed on a wrong basis altogether, and that its revision would be attended with good effect.

A greater uniformity and certainty of sentences, which should be more adapted to the nature of the crime and the character and antecedents of the criminal, must be confessed to be desirable. How this is to be accomplished it is beyond my province to inquire.

The Incentives to Crime presented by Marine Store Dealers, and how to Repress them. By T. C. S. KYNNERSLEY, *Stipendiary Magistrate of Birmingham.*

IN a paper which was read before the Association, on the 4th May last, I endeavoured to point out the evils arising from the facility with which articles of stolen property, especially small portions of metal, are disposed of to marine store dealers, and the want of some general legislation which would impose a check upon their dealings, and render the punishment of guilt more easy.

I mentioned that in the metropolis, Liverpool, and other large towns, there are local acts which place 'brokers, marine store dealers, and other dealers in second-hand goods,' under some sort of restraint, and that in all sea-port towns the Merchant Shipping Act (17 and 18 Vict. c. 104) imposes upon them even more stringent regulations, obliging them to register in a book, which is at all times open to the inspection of the police, a description of the particular article purchased, and of the vendor, the time of its purchase, and the price paid for it, and forbidding them to buy from children, or at unseasonable hours; but that in Birmingham, and generally in all market towns and country places, the only method of punishing the guilty receiver of stolen goods (whatever may be his trade or calling) is by the cumbrous process of an indictment, in which there is always so great a difficulty in obtaining a conviction, that I was not surprised to hear from the Rev. W. Hatch, that, since he had been Chaplain at Wandsworth, among thousands of prisoners, a marine store dealer was rarely to be found.

I stated that a Bill had been prepared for the Chamber of Commerce in Birmingham, which should be of general application, embodying those clauses of the different local acts, and of the Merchant Shipping Act, which appeared most likely to meet the evil, and I also suggested a provision, which I thought might be inserted in the Consolidated Larceny Act, giving a power of dealing with persons who purchased stolen property, not actually with a guilty knowledge, but under circumstances which afforded a reasonable ground for believing it to have been dishonestly obtained.

The Parliamentary session, however, passed away, and nothing was done in the way of legislation. The evil is a fearful one, as all who

are connected with criminal courts, or who are themselves engaged in dealings with metals, know perfectly well. There is hardly any phrase, the truth of which is more generally admitted than this, 'If there were no receivers, there would be no thieves.' There is nothing which acts so directly as an incentive to crime as the knowledge that it can be committed with impunity. When an old thief is endeavouring to persuade a boy employed in a manufactory to purloin the metal which is entrusted to him, or on which he can easily lay his hands, there is no argument so powerful as this, 'You can't be found out. There is a convenient shop at hand where the plunder may be readily disposed of, without any question asked. You will get the money at once, and if you keep your own counsel, no one will know anything about the matter.' I am very anxious, indeed, that this subject should be fully discussed at the present meeting of the Association; and having been requested by the Secretary to write 'a short paper, stating the results of my consideration of the subject, and also what has been done, or is intended to be done, in the way of legislation,' I take the liberty of sending the following remarks, hoping that at least they may serve to provoke a discussion.

I will not dwell upon the existence or extent of the evil further than is necessary for the purpose of suggesting a remedy.

The evil is, that there is a class of men to be found in every town who are ready to buy from any person who comes to the door, at any hour of the day or night, any article they choose to offer for sale, without asking where it came from or how they got it. A melting pot or crucible is always ready, into which the gold, or silver, or brass, or copper, is instantly plunged, and all trace of identity is at once gone. Iron and lead are simply broken up, cut, or defaced. Even if this is not done—if the stolen articles themselves are found concealed under a bed, or in a stable, or a garden, there is a wife, and there are children and servants about the place, any of whom *may* have purloined them, and all of whom deny all knowledge of them; so that the mere fact of the stolen property being found on the premises is of little avail. Perhaps the thief, a mere child, is found actually dealing with the keeper of the shop; but the goods are not absolutely reduced into his possession, or the price is not agreed upon, or it is not so much below the value as to afford conclusive proof of 'guilty knowledge.' Perhaps the thief, on being detected, subsequently to a sale or transfer, is willing to give evidence against the receiver; but there is no corroborative testimony to support his statement, and so, after the case has been heard by the magistrate, the marine store dealer is told that 'it is one of grave suspicion, and that he had better be more careful in his dealings for the future;' and, for the ninth or tenth time, he retires triumphantly from the dock, and walks forth a free man, though there is not an individual in court who has the slightest doubt of his guilt.

Now I think no one can doubt that some new mode of dealing with cases of this description is urgently required, and I earnestly hope and trust that we shall not see another session of Parliament pass over

our heads without witnessing the removal of so great an imperfection in our criminal law.

I believe a general Bill for the regulation of shops kept by marine store dealers, brokers, and dealers in second-hand goods, will be introduced into Parliament early in the next session; but it seems to me that what we want is the general adoption of a principle to be found in the 24th, 26th, and 27th sections of the Metropolitan Police Act, 2 and 3 Vict. c. 71—viz.,* that the bare possession of stolen property, unaccounted for, shall be made criminal, and punishable with heavy fines and imprisonment.

There may, probably, be an unwillingness in some quarters to invest magistrates with so much additional discretionary power, but I confess I think the presence of lynx-eyed reporters, and solicitors, and the large body of spectators and audience, which is usually to be found in police-courts and petty sessions in these days, afford a very tolerable security against the influence of prejudice or partiality in magistrates. If, however, it is thought that every man, though he is a marine store dealer, should have the benefit of trial by jury, by all means let him have it, if he pleases; in which case there might be an indictment preferred, as at present, for receiving stolen goods, &c., and it might be declared, by statute, that the fact of purchasing from children, or except between certain specified hours, or of melting, or defacing, before a certain period after purchase, should be declared conclusive evidence of guilty knowledge; or the jury might have a power of negativing the 'guilty knowledge,' and convicting, upon the same indictment, of 'receiving, having at the time reasonable cause to believe the property to have been stolen,' and the punishment might be still fine or imprisonment.

I really believe that either of these modes would be a great discouragement to a most pernicious class of criminals; and I beg very respectfully to submit them for the consideration of the Association, with a hope that, if they are approved, those who have influence will exert it to obtain for them the sanction of the legislature.

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* § 24. Every person who shall be brought before a magistrate charged with having in his possession anything which may reasonably be suspected of being stolen or unlawfully obtained, and who shall not give an account to the satisfaction of the magistrate how he came by the same, shall be deemed guilty of a misdemeanour, and shall be liable to a penalty of 5*l.* (or two months' imprisonment).

§ 26. If a person is found in possession of stolen goods, and is brought before a magistrate, and it appears to such magistrate that such person had reasonable cause to believe the same to have been stolen or unlawfully obtained, every such person shall be deemed guilty of a misdemeanour—penalty 5*l.* (or three months' imprisonment).

§ 27. If any goods shall be stolen or unlawfully obtained, and complaint be made to a magistrate that such goods are in the possession of any broker, dealer in marine stores, or other dealer in second-hand property, or of any person who shall have advanced money on the credit of such goods, the magistrate may issue a summons or warrant for the apprehension of such broker, &c., and for the production of such goods, and order such goods to be delivered up to the owner either without any payment, or on payment of such sum as the magistrate may think fit.

On some Characteristics of a great Maritime Town; having especial Reference to the Criminal Tendencies of its Population. By J. T. DANSON, F.S.S.

IN the year 1851 there were in Great Britain 815 towns, each containing 2000 or more persons.

Omitting London, as not falling properly into the same class with any other, there were twenty-six of these distinguished as sea-ports, or maritime towns.

But Liverpool and Birkenhead were counted as two—a division to be justified now only on grounds which would separate London from Southwark, or Manchester from Salford.

The twenty-five remaining being arranged in the order of their population, the first five will be:—Liverpool, population, 375,955; Glasgow (city and suburbs), 344,986; Bristol, 137,328; Newcastle, 87,784; Hull, 84,690; Sunderland, 63,897. Glasgow, however, has a double character: it is both a port, like Liverpool, and a manufacturing town, like Manchester; so that its population gives it a higher place in this list than is due to its eminence as a maritime town merely.

Liverpool—inasmuch as its commerce now exceeds that of London—is the first port of the empire, and, on the same ground of comparison, the first in the world. Still excluding London, Bristol stands next.

How Liverpool became, or how long it is likely to continue, what it is, we need hardly here consider; the present purpose being only to draw attention to some of the more apparent and prominent moral characteristics of a great maritime town, so exemplified. The dense population now located on the banks of the Mersey has obviously been brought, and is retained there, by motives similar to those under which all our larger towns have been formed—similar, but not identical. The pursuit of gain, or, more precisely, of profitable employment for capital and labour, is similar. The methods only differ. But hence arises a material, though not at first apparent, difference in the component elements of the population. In all these towns the leading motives, imparting a distinctive character to the people, have a decidedly acquisitive tendency, and the result is a corresponding bent of mind, greater and more influential than is readily perceptible by any one habituated to the locality. The most widely-accepted standard of ability has reference, very naturally, to success in doing that which the leading occupants of the locality are here for the express purpose of doing—making money. Hence the special pride of towns, and of most people brought up in large industrial towns, is the display of wealth; their special humiliation in the inability to display it. Practically, our best-recognised virtues are pecuniary: as the punctual payment of his bills by the merchant; and

the punctual rendering of his accounts by the agent. And our temptations, and our vices, are the same.

These remarks would have no fit purpose here, were it not that the most constant and effective of all educational influences is example; and that the effect of example is intensified in towns, by the closer and more intimate relations there established between the higher and lower classes of society.

A great maritime town, however, differs, and, in some respects widely, from other large towns; and these differences have a palpable effect on the criminal tendencies of its population.

Careful statistical inquiry has already established it as a fact that what may be termed the tendency to commit acts of a criminal character, as evinced by proof of their commission, varies with age. Of all the criminals brought under the cognizance of the law, in England and Wales, in any one year, about one-fourth will be found to be between twenty and twenty-five years of age, and nearly three-fifths will probably be found between fifteen and thirty years of age. Now of persons at this, the criminal, period of life, all large towns have an excess, as compared with the average of the entire kingdom; and of course a still greater excess as compared only with the rest of the country.

Further, when the statistics of the kingdom (England and Wales) are regarded in mass, it is found that the tendency to crime among females, as marked by the number of that sex appearing as criminal offenders, is, when compared with the number living of each sex, and with the number of male offenders, not much more than one-fifth of that prevalent among males. But age, though it affects the tendency to crime in females, does not affect it precisely as with males. With females the criminal tendency seems to be distributed more equally over the earlier periods of active life; and when we look to the re-committals, we are tempted to infer that the comparatively small number of instances in which females appear as criminal offenders is largely balanced by the inveteracy of the criminal tendency in that sex, when once developed.

Now it so happens that the ages of the population in Liverpool, of both males and females, are each, apart from all other circumstances, such as strongly to favour the development and action of the criminal tendency.

In the Borough of Liverpool, at the Census of 1851, there were 182,058 males, and 193,897 females. In England and Wales the excess of females on the whole population at the same time was equal to eleven per thousand of both. Here, at the outset, from readily accessible statistics, we find it sixteen per thousand. The males, too, are in excess chiefly after twenty-five years of age; while the females are considerably in excess at every period, from fifteen to fifty-five years of age.

Again, the tendency of crime is, on good grounds, conjectured, though not yet strictly proved, to be stronger among those who are removed from the influences of family and neighbourhood, than

among those who are still under these influences. In many instances the development of some such tendency affords the motive for leaving the place of birth. In others, such a removal, especially at an early period of life, gives it freer play, by increasing temptation and weakening the habitual power, whatever that may be, to resist it. And analogy is strongly in favour of the assumption that any group of population will be found lawless in proportion to its freedom from the ties suggested by regard to any good reputation the individual may have in the locality.

In this respect, also, Liverpool is unfortunate. Of the whole number of its population aged twenty years and upwards, in 1851 (that number being 213,767), only 48,298, or considerably less than one-fourth, were born in the town. A much larger number (no less than 61,089) of this grown-up part of the population, were born in Ireland. In other words, nearly one-third of the entire adult population, and more than one-third of our adults at the criminal age, are of Irish birth. Manchester and Salford (with a total—twenty years of age and upwards—of 225,727) had, in 1851, a native section numbering 62,733, and an Irish one of only 39,377. The foreign subjects (of this age) were, in Liverpool, 2944; and in Manchester and Salford, 1263.

Nor is this all: a large proportion of our population, though its number can only be estimated, is rather migratory than resident.

The number returned within the borough, in 1851, as 'seamen, and others connected with sea-navigation,' was 17,725. This was exclusive of a large number of persons of similar occupations sleeping on board vessels in the port on the 30th of March, 1851. There are also always present in the town a large number of persons who come here in search of vessels, in which to go to various parts of the world, as emigrants or otherwise; as well as a large number simply in search of employment; and most of these either furnish a temptation to crime, or are themselves apt to fall into it.

Further, it is one of the peculiarities of the employment afforded to the lowest class of labour in Liverpool, that this employment shall be more or less intermittent. The extent of this description of employment is great; and its fluctuation, by submitting large numbers of persons, at once poor and ignorant, and necessarily more or less familiar, if only by observation, with the irregularities of a criminal life, makes, at every period of commercial stagnation, some addition to what are termed the dangerous classes of the population.

The following table will show how much more numerous were (1851) some of the classes lowest in the labour market, and thence most liable to be precipitated by circumstances into evil courses, in Liverpool than in Manchester:—

	Liverpool, Population, 375,955.	Manchester and Salford, Population, 367,232.
Males:—		
Carters, &c.	2,553	1,867
Porters, &c.	5,329	5,454
Labourers (undefined)	12,533	7,008
Vagrants	192	56
Persons of no stated occupation	3,827	1,451
Females:—		
Domestic servants (general)	17,879	13,262
Charwomen	2,244	1,606
Milliners and sempstresses	9,245	8,266
Vagrants	289	46
Persons of no stated occupation or condition	4,894	2,153

It will be borne in mind that, in comparing Liverpool with Manchester, we do not so much display the extent of any dangerous element of our town population, as the excess here of an element known to be dangerously large in both towns.

So much for the fitness of the population itself, to furnish, on adequate inducement, a large number of criminals.

Nor are inducements wanting. On the contrary, their strength and frequency are such as to augment very materially the ordinary effect of the presence of such a population.

In the first place (to dismiss at once a topic which cannot be wholly avoided, but may be more fitly dealt with apart) the degradation of the lower classes of our female population by prostitution—so often, elsewhere, and almost invariably here, the introduction of that sex to a life of crime—is amply provided for by the constant presence of a numerous floating population of males, seamen and others, without homes, with strong passions, with leisure, and with money to spare. Our prostitutes (as our criminals, and our paupers) are nearly all Irish; and by far the greater part of our female crime is committed in palpable connexion with this sad 'social evil.'

Then the great centre of employment, for rude labour especially, being found at the docks, and in the adjacent warehouses, and the employment itself consisting, for the most part, of the handling in various ways, the shipping and unshipping, the cartage, porterage and stowage of goods, all more or less, and some especially and unavoidably, exposed to depredation, it follows that those who are criminally disposed, in the class of rude labourers, seldom lack temptation to what are technically termed 'crimes against property without violence:' a description which covers the great bulk of the crimes committed in this country, and more particularly in the towns.

The following tabular statements extracted from the 'Criminal Statistics,' for 1857, will show, in some degree, how Liverpool alone compares with the entire county of Lancaster, and with the kingdom at large, especially as to female crime.

Sent for trial, for all offences, during the year ending Sept. 29, 1857:

	Total.	Males.	Females.	Per Centage of Females.
In England and Wales...	20,269	15,970	4,299	21
County of Lancaster	3,590	2,433	1,157	32
Borough of Liverpool	1,207	694	513	42

Sent for trial for the following six offences only, in the same period:—1. Shooting, stabbing, &c.; 2. Assaulting and inflicting bodily harm; 3. Larceny from the person; 4. Simple larceny; 5. Receiving stolen goods; 6. Keeping disorderly houses.

	Total.	Males.	Females.	Per Centage of Females.
In England and Wales...	10,945	7,990	2,955	26
County of Lancaster	2,215	1,297	918	40
Borough of Liverpool	824	400	424	51

It will be observed that the proportion of females to males is by much the highest in Liverpool. The limits of this paper do not permit me to extend the comparison to Manchester and Glasgow; or I might adduce ample evidence that in this respect Liverpool has an unfortunate eminence, as compared with either of those towns.

Such are a few of the more remarkable features of our social condition. Being, to some extent, distinctive of a great maritime town, they may serve to indicate its moral significance more precisely than this is yet written in the mere statistics of crime.

DISCHARGED PRISONERS.

The Origin and Progress of the Discharged Prisoners' Aid Society. By W. Bayne Ranken.

THE treatment of our criminal population has of late years attracted much public attention. The farther inquiry has been carried, the more obvious has appeared the necessity for energetic action. Reformatories, refuges, and schools, recently established in many parts of England, are undoubtedly effecting much towards diminishing the frequency of crime; but, whilst their support is expensive, their operations are necessarily limited. Frequently, even were opportunities afforded to discharged prisoners to avail themselves of such, they would refuse to do so, either from misapprehension of their nature, or from impatience of the control there exercised over them.

The Discharged Prisoners' Aid Society does not profess to contain any reformatory element. Its origin may be briefly stated.

On the 10th of February, 1857, a meeting was held in London, for the purpose of forming a society to assist prisoners, on their discharge, to procure employment in some honest trade. It was agreed that the Society should deal only with the cases of those of whom reasonable hope of ultimate restoration to honesty could be entertained by the

governors of prisons, and others who had been constantly in the habit of watching their conduct. The operations of the Society were commenced in the month of May. Since that period 65 men and 12 women have been assisted to emigrate; 128 men and 24 women have had employment found for them, or have been assisted to rejoin their friends; while 79 men and 8 women are at this moment under the careful management of the Society. The plan that has been adopted with regard to discharged prisoners is this:—Particulars of their respective cases are obtained by the Society from the governors of the prisons from which they are about to be released; should these prove satisfactory, the ex-prisoners (if coming from a convict prison) make over their gratuity into the hands of the Society, and it is employed in assisting them to emigrate, or enabling them to obtain work in this country.

The great majority of cases that have been dealt with are those of men and women who have completed a four years' term of imprisonment, subject during those four years to strict discipline, each hour being apportioned to compulsory labour, or rest. Having ample time for reflection on the consequences of crime, and benefiting, it is to be hoped, by religious instruction and advice, it can hardly be doubted but that, as a mere matter of self-interest, many of them, on quitting the prison walls, are anxious to become honest members of society. After being separated for so long a period from their former associates and friends, they frequently, on their release, find themselves quite at a loss whither to go, or how to obtain a livelihood. Unless by some fortunate accident they readily obtain work, or have respectable friends to assist and advise them, destitute as they are of character, they almost inevitably resort to old haunts of crime and vice. Cast out by society, with, as it were, every man's hand against them, they see no alternative but to recur to their old habits of theft and degradation; and they become once more marked men, known to the police as habitual companions of thieves. Again and again convicted and imprisoned, they are cut off from all opportunity, all hope of restoration to decency and respectability. Growing old in a life of constant crime, they must necessarily utterly ruin many less depraved than themselves, by their evil instruction and example. It is in such cases as these that the Discharged Prisoners' Aid Society may expect to exercise a most beneficial influence. Many have applied to it fresh from the restraints of prison life—have in a few days sailed for Canada, Australia, or other lands, entering upon a new life in a country where their previous character is unknown, where they are far removed from evil associations, where their better feelings have full scope for development. The gratuities they receive from the prison authorities go as far as they can to defray the expenses of their emigration. In many cases they are amply sufficient for that purpose, and the only help the Society gives is by enabling the discharged prisoner to lay out his money most advantageously to himself.

The cases of discharged female prisoners have necessarily been attended with greater trouble and expense. With regard to men,

suitable lodgings have at a trifling cost been procured for them for the few days necessary to complete arrangements for their emigration; but it has, for obvious reasons, been found necessary to adopt another plan with regard to women. A small house, under the management of a female superintendent, has been provided as their temporary home. There they remain for a short time until they emigrate, obtain situations, or are received back by their friends. This house is used as a lodging, being merely a place of refuge and retreat for a limited period. It has accommodation only for seven women as occupants at one time. Washing and needlework is done there; and it is made, as far as possible, self-supporting. Most of those about to leave the country are occupied whilst there in preparing for their voyage—others, in getting ready to enter into service. With regard to employment at home the Society has guarded itself, as far as possible, against interfering in any degree with the claims of honest labour.

In some cases work has been obtained for applicants under masters, who always have been made fully acquainted with their previous career; in others, men have been enabled to resume the trade they followed previous to their conviction—their own money, with addition occasionally of a small loan, being employed in their behalf.

With very few exceptions the Society has received most satisfactory accounts of the well-doing of both the men and the women it has been instrumental in gaining employment for, and the loans advanced have almost in every instance been repaid. The increasing willingness on the part of employers to take ex-prisoners, recommended them by the Society, into their service, affords much encouragement to the committee in this branch of their exertions. Many letters have been received from discharged prisoners and their employers, testifying to the gratitude of the former for the aid afforded to them in beginning a new life of honesty and independence, and to the satisfaction of the employers with their services.

With regard to those who have been assisted to emigrate, the Society has been informed by the agents, who have conveyed them to their respective destinations, that there has been no instance of their behaving ill in any way. It is still more gratifying to reflect, that of the whole number of cases undertaken by the Society only eight men and four women are known to have relapsed into old habits of crime, whilst certain information has been received of the well-doing of forty-one men and twelve women; of the rest the Society has at present no information. The success which has attended the operations of this yet infant Society is such as could hardly have been contemplated, especially when the comparatively trifling amount of money which has been devoted to each individual case is considered. The average expense of assisting discharged prisoners to emigrate has been 10*l.* 2s. per head, out of which 7*l.* 7s. 9d. has been furnished by the prisoner or his friends; 2*l.* 14s. 3d. by the Society.

Upon those who have been employed in this country, it has been necessary for the Society to expend but a very small sum, not exceed-

ing in the average 7s. per head. It will thus be seen that the Society has lavished no unnecessary funds, but has untiringly endeavoured at the smallest possible cost to afford an opportunity for better things to those who are willing to embrace it. Its operations being almost entirely confined to adults, who have undergone a lengthened sentence, it has been considered unnecessary to establish any machinery for reformation. In this respect the unwearying exertions of the prison authorities, maintained throughout a lengthened period of imprisonment, afford every hope for reformation where reformation is possible.

In conclusion, the Discharged Prisoners' Aid Society, judging from its past success, looks forward with confidence to the time when the good effect of its operations may be apparent in the statistics of crime. One object has been already obtained. The money received by the discharged prisoners is at least not squandered as formerly in idle profligacy. Its possessors are constrained to live for a time in outward respectability. Those who remain in England are kept as far as possible under the supervision of the Society, and every care is taken to ascertain that they are really gaining an honest livelihood. Strict inquiry from time to time is made in reference to the behaviour of those at work in various parts of England, and information concerning them is conveyed to the Society, either through the kindness of their respective employers, or from other sources of undoubted respectability and credit. With regard to those at work in London, the agent of the Society is constantly employed in investigating the truth of their statements, and inquiring into the steadiness of their conduct. It is to be hoped in a few years, through the instrumentality of this Society, that the influence of old offenders on our criminal population may be very considerably weakened. It is not possible by any sudden revolution to convert those from their earliest years habituated to a life of crime and degradation to honesty and respectability, yet if the temptations to relapse into crime be lessened, if the means of obtaining an honest livelihood are made apparent, it is not unreasonable to suppose that many not entirely depraved will embrace the opportunity afforded them of redeeming the past.

The Industrial Home, Wakefield. By R. Monckton Milnes, M.P.

As one of the Visiting Justices of the Wakefield House of Correction, I have judged that a short account of the Industrial Home for Discharged Prisoners, lately established in connexion with that prison by its Governor, Mr. Shepherd, might be acceptable to this department. The miserable condition of the majority of the prisoners, on the expiration of their sentence, and the speedy return of many within the precincts of the gaol, were a natural subject of interest to so intelligent a public officer; and I will state the mode in which he has attempted, in some degree, to mitigate the evil.

The question of the treatment of discharged prisoners came partially before the late Select Committee of the House of Commons, which took evidence on the subject of transportation and imprisonment; and though no resolution upon that matter appears in their report, the 'Blue Book' shows that evidence was taken on the subject, and that a resolution to the effect that it was advisable that some refuge for discharged prisoners—where they might remain for a limited period after the expiration of their punishment, under conditions of strict discipline and regular labour—should be attached to each large prison, was proposed and rejected. Mr. Shepherd was one of the witnesses before the committee; and it is possible that his determination to make a practical experiment in this direction may have been decided by its proceedings. He began, with the assistance of a few private friends, by renting an old house almost contiguous to the prison, and placing in it some rude and scanty furniture. Here, under the rules and regulations which I will submit to you, he established some half-dozen prisoners, with the clear understanding that their abode was only to be temporary, and that they were to spare no effort to obtain employment elsewhere. You will see by the rules and regulations that the life is hard, and that there is nothing to detain the discharged prisoner except the fear of destitution, or the dread of strong temptation to relax into crime. The large number—about a third—who have left the establishment without having obtained employment, or even without the pretence of seeking it, shows that there has been no indulgence in luxury which could indecorously contrast the position of these persons and that of the labourer or the artisan who has not violated the law. Here are the rules and regulations as supplied to me by Mr. Shepherd, and also the results of the experiment up to the end of the last month:—

The Industrial Home, Wakefield.

The Industrial Home is established to give temporary work to destitute prisoners, on their discharge from prison.

The hours of attendance are from six o'clock in the morning until nine o'clock at night; but from half-past seven until nine in the evening the men may, if they choose, attend school in another room, an evening schoolmaster being provided for the purpose. Some of the best-conducted men, who have been a considerable time in the Industrial Home, are allowed to leave work at half-past six o'clock in the evening.

An officer is provided for the instruction of the men in their work, and for supervision.

During the first fourteen days of their stay the men receive no wages, but have board and lodging provided for them. At the expiration of that time they are expected to support themselves.

The house where each man is to lodge is appointed by the Governor; but it is intended, if sufficient funds can be obtained, to build a model lodging-house.

The Industrial Home is intended to be self-supporting—that is, to be maintained by the profits of the work done.

RULES.

1. The hours of attendance at work are from six in the morning until half-past seven in the evening.

2. Each man is expected to commence work on Monday morning, and to produce each day a quantity of work sufficient to satisfy the Superintendent.

3. The hours of attendance at school are from half-past seven until nine in the evening.

4. Every man is required to be clean in his person and habits.

5. No one must be absent from his lodgings after half-past ten at night in summer, and ten in winter.

6. Every inmate must lodge at the place appointed by the Governor.

7. No smoking is allowed within the walls of the Industrial Home.

8. No drunkenness, begging, swearing, quarrelling, improper language, or disrespect to the managers of the Home will be allowed.

9. Any workman spoiling his work will be fined according to the amount of damage.

10. Every man must give notice to the Superintendent before he leaves his employment.

Any breach of these rules will be punished by fine or dismissal, according to the nature of the offence.

343 destitute persons, chiefly discharged prisoners, have been admitted into the establishment since the opening in November, 1856; 305 have voluntarily left or been dismissed; 95 have left without assigning any reason; 73 have been discharged for misconduct; 36 have left, having objections to regulations; 34 have left to seek employment; 67 have obtained employment; and 38 remain in the Industrial Home. Out of the 305, who have left or been dismissed, 45 have again been committed to prison.

The daily number in the establishment for the year ending June last was 30, and during the last three months it has been 34.

The average earnings per man has been 9*s.* 3*d.* per week.

The average duration of time served in the Institution was 58 days.

The ages of the persons now in the Home are as follows:—under 17 years of age, 11; 17, and under 20, 4; 20, and under 25, 7; 25, and under 30, 6; 30 and upwards, 10.

The inmates are chiefly employed in making cocoa-nut fibre mats, carpentering, tailoring, shoemaking, and other employments which can be advantageously pursued.

Cash Account for the Year ending July 1, 1857, *to July* 1, 1858.

Dr. the Treasurer.	£	s.	d.	Per Contra Cr.	£	s.	d.
To balance in hand ...	13	5	6	By amount for wages ...	748	18	1
To Cash received for work done during the year	1004	13	7	By salaries of officers ...	109	19	6
				By sundry fittings ...	109	15	0
				Balance	49	6	6
	1017	19	1		1017	19	1

Now, when it is considered that out of 343 inmates of the Refuge, only 67 are known to have obtained employment, I fear it is but too apparent that we, in England at least, are hitherto very far from a solution of the problem, 'What are we to do with our convicts?' Populous as is the West Riding of Yorkshire, yet labour is there well remunerated, and the sources of industrial activity are large and various. Our object, too, in the establishment of such a home for discharged prisoners, is to provide a building to which the employers of labour may resort, either regularly or on any sudden demand. Many of these persons must have been skilled labourers, and had been continually employed during their imprisonment in their usual trade. Even the unskilled labourer must have gained something by the discipline, the instruction, and the enforced temperance of the prison. Mr. Shepherd, and many friends, have been sedulous in their endeavours to find employment for these unhappy persons, and yet, notwithstanding these advantageous circumstances, only this fraction can be stated to have resumed their former habits of productive labour. Do not let this be taken as any evidence of the failure of the experiment; rather let it be regarded as a proof of the necessity of further interference in this matter. These 343 men, who accepted this same probationary life, were, in all probability, the best of the whole body of discharged prisoners, the most repentant, the most resolute to earn an honest livelihood, the most earnest to regain a respectable position in society; and yet how difficult for them has been the first step on solid ground! This has been the small effort of our philanthropy here, while, on the other hand, we see the hopeful enterprise of Captain Crofton, in Ireland, where the experiment of an intermediate condition between the prison and the open world has received the favour and assistance of high personages, and obtained the sanction of administrative authority. I will not conceal my belief that in this country the impediments to success must be still greater than those which Captain Crofton has met with. The sanguine and cheerful elements in the Irish character are no doubt very favourable to the recovery of a lost position in society, and the law, in that portion of the empire, has not always possessed the force and popular concert which here causes its infringement to entail such life-long consequences. The severity of public opinion in this country, as to contact with prisoners who have incurred the penalties of the law, proceeds from a moral sentiment, in itself most honourable and most delicate for the legislature to handle. We are, therefore, under deeper obligations to the effects of individual philanthropy, and to the results of private experiments.

Asylum for Discharged Juvenile Offenders in Leyden. By W. N. Suringar, *Foreign Corresponding Member. Translated.*

Many years' experience has shown how great a number of young persons are ruined and rendered miserable for life from want of care, inspection, and guidance in that most dangerous year of their existence,

that year which immediately follows their discharge from a penal confinement of short duration, perhaps only a few weeks, to which they had been sentenced on account of some trivial offence, such as the stealing of some trifling article, often only the consequence of totally neglected education and of bad example.

Very many of such young lads have expressed a wish, after their discharge, to enter the service as soldiers, or more especially to serve at sea. The Government of the Netherlands, however, only allows this when they have conducted themselves for a whole year honestly and blamelessly. This favourable arrangement can scarcely ever come into application, for hardly any can stand this year of trial, because they almost all return back into the same contagious atmosphere in which they existed before the commission of their offence. They return into a household or family circle wherein they are for the most part, after as well as before, ill-treated and repulsed, or at least neglected. They come again, voluntarily or otherwise, into contact with their old associates, by whom they are again enticed into evil. These boys grow up into men, who, their whole lives long, are bad and dangerous to the community, who maintain themselves for ten, twenty, or more years, by robbery and beggary, and thus, as well as by the great expense which they occasion to the community and the State by their support in prisons, workhouses, and similar institutions, cost society more than it is possible to compute.

To obviate, at least partly, this evil is the object of the Netherlands Society for the Moral Amelioration of Prisoners. The Society has purchased a building in the city of Leyden, and arranged it for the reception of forty such boys, without regard to the difference of their religious creeds. Those boys who are found suitable for the public service already mentioned, are at once, after their release from prison, received into this place of refuge. They are placed there under close supervision, receive employment and necessary instruction, as well with regard to their future occupation as in a moral and religious direction, according to the creeds they profess. They must, according to regulation, remain a full year in the institution; but are at once and for ever removed from it on being guilty of the slightest dishonesty. But if they have conducted themselves without deserving such punishment, and proved themselves suitable, they are discharged after a year's duration, in order to serve and to earn their bread on land or on sea.

Surely it is the greatest interest of every community, both in a moral and a financial point of view, to establish similar institutions.

PUNISHMENT AND PRISON DISCIPLINE.

Can Intermediate Prisons materially aid in solving the Difficulties of the Convict Question? By CAPTAIN WALTER CROFTON, C.B., *Chairman of the Board of Directors of Irish Convict Prisons.*

IN endeavouring to demonstrate that Intermediate Convict Prisons can aid in solving this much vexed question, I am quite aware of the somewhat formidable task which I have imposed upon myself. A sense of public duty and a strong conviction of the truth of what I am about to advocate—a conviction strengthened by the daily experience and results of the system of Intermediate Prisons in Ireland, for nearly three years, induces me to submit to this meeting a paper professing to materially aid in solving one of the most important and most difficult social problems of the day.

The time allowed for the perusal of each paper is necessarily so limited as to preclude my treating the subject at any length; I shall therefore confine myself, as much as possible, to my text, and shall proceed to inquire—

1st. What are the difficulties of the Convict Question we are called upon to solve?

2nd. Why have we not solved these difficulties?

3rd. What shall we do to solve these difficulties?

1st. What are the difficulties of the Convict Question we are called upon to solve?

The difficulties are, 'To devise a course of treatment consistent with humanity, which shall either amend the offender, or tend to render him less noxious to the community; which treatment shall at the same time have the effect of deterring others from the commission of crime.'

It is well known that until within the last few years the longer-sentenced portion of our criminals were sent to the colonies.

	Males and Females.	
From 1827 to 1836 ...	... 37,117	were so transported.
„ 1837 to 1846 ...	... 27,258	„
„ 1847 to 1856 ...	... 11,979	„
1857 ...	... 461	„

The mother country was thus relieved of this vast number of criminals, who, in the course of time, through the means of employment afforded them, had a chance, and a very good chance, of being absorbed into the colonial communities. The facility thus afforded us of getting rid of our long-sentenced criminals led to great carelessness, I might almost add recklessness, in our manner of doing so; and as the number of free colonists increased, and the necessity for the labour of the convicts diminished, it soon became evident that the colonists would no longer receive them. It was, indeed, hoped

that improved prison training at home would have changed their determination and altered their opinions. The improvement came, but came too late. We had too long neglected our opportunity. The former system had become so intolerable, had in many cases borne such bitter fruits, as to preclude the reception of convicts under any form whatever, save by the colony of Western Australia, one almost solely dependent on Governmental expenditure, with a community as yet insufficient to employ or to absorb any large number.

When it was in our power to remove our convicts in these large masses to our colonies, we had cared but little for their reformation. Expatriation was our panacea. Our sole reformatory agent was the employment placed at our disposal in a new country, in which the antecedents of the criminal in the old did not appear against him. We failed to reap the full advantage of this truly powerful reformatory agent, 'employment,' through a want of adequate and preparatory training. Under this system even, so powerful was the agent, 'employment,' that thousands became honester and better men. The more impressible class obtained work and throve. The remainder became a curse and peril to the community in which they were located.

We have then learned two lessons by transportation:—

1st. That employment is a most powerful agent of reformation.

2nd. That notwithstanding all the evils attendant on a bad prison system, there was still a large impressible class, who were willing to work when employment was obtainable, and who beyond doubt gave satisfaction to their employers, and ultimately became useful and industrious colonists.

As our power of deportation is now so narrowed in its area (probably from 400 to 500 per annum) it must be our immediate object to apply to ourselves the lessons we have practically learned in the colonies. We should, in accordance with these lessons, therefore, endeavour by means of some well-considered arrangements to introduce this powerful reformatory agent, 'employment,' into our home system, so that by its aid we may obtain the absorption of the impressible into the community. To effect this result, and by special training to increase this class as much as possible, are the real difficulties we are called upon to solve. To render the unimpressible less noxious, is a simpler and an easier course, in countries so well policed as England and Ireland now are.

2nd. Why have we not solved these difficulties?

We have not solved them, because although experience has taught us that there are two classes in our gaols—the impressible and the unimpressible—we have hitherto failed to avail ourselves of this knowledge. We have treated our criminals in masses up to the termination of their period of incarceration, and have discharged them to take their chance, to work their will, to meet their fate. Through well-constructed prisons, aided by constant supervision, we have indeed known them thoroughly as prisoners, and but little of them as men. The experiment tried in the colonies has been almost

repeated on ourselves. In the colonies we failed because we omitted to improve the impressible to the extent we might have done, and to restrain the incorrigible as we should have done. The evil eventually outbalanced the good, although, where employment was plentiful, the obvious results were but slow in appearing.

But in this country, although our colonial experience should have taught us to fully recognise the beneficial effects of employment, what have we done to secure it? We are all ready to admit how difficult it is for any person who has been in gaol, however sincere his reformation, to obtain employment. What course have we pursued, then, to procure this desideratum, to grapple with this difficulty, to save the impressible criminal when discharged from either stealing or starving! We have, after subjecting him to a course of separate imprisonment, followed by enforced industry and seclusion from temptation, discharged him, hoping that a compassionate community would employ him. This is the impossibility we have been for years, and are even now, endeavouring to accomplish. Is it to be wondered, then, that we have most signally, most completely failed? We know not to what extent. We never can know, for we have never taken steps to inquire. It has been our practice on this most important subject to delude ourselves with negative statistics. We have concluded, that unless a criminal was re-convicted, we might assume him to be reformed. We have (notwithstanding police experience to the contrary) been content with this fallacious assumption, when we were bound to require the most positive, the most irrefragable, evidence it was possible to procure. This contentment, this very grave delusion, has been our stumbling-block, and well-nigh our ruin. Had we ascertained the extent of the disease we should not have been so long without a remedy. We have now attained to this result. The community object to employ the criminal on discharge, on the intelligible grounds, that although, under the strictest surveillance, the conduct of those confined in our convict prisons is generally good, the utter absence in them of temptations that would assault the criminal the first day of his free life, renders characters so obtained of little or of no value to the public. The community under such circumstances demur to his absorption, and we have no reasonable right to complain. We have sown tares, and have expected to reap wheat.

3rd. What shall we do to solve these difficulties?

It has just been stated that we have failed in obtaining the confidence of the community, because we have persisted in dealing with criminals artificially, and in masses, rather than as individuals, up to the period of their discharge; the impressible and the unimpressible by the same rule.

If, then, we can reasonably expect to obtain employment for convicts on their liberation, we must for the future adopt such a system of training them, as will tend to generate the confidence of the public. We must, upon more reliable grounds than heretofore, endeavour to ascertain the really impressible. We must deal with

criminals in smaller numbers, and less artificially, before their discharge; we must apply such special training as shall fit them for free life, and make them meet for employers. We must teach them of an honest world of which they know but little. We must, by constant and appropriate lecturing, explain everything necessary to an orderly course of free life; showing not only the justice but the power of the law, and not only the wickedness, but the utter fruitlessness of prosecuting a course of crime in a country properly policed, and in which a prison system should exist tending to facilitate the important duties of police.

We must not even on discharge lose sight of the criminal, but should preserve such a chain of supervision, as will under good regulations tend to restrain and protect him, and protect the employer in employing him. When his incarceration is over, if his training has been successful, the well-disposed criminal will with the fruits of his industry, in a very large number of cases, convey himself to lands where his antecedents are unknown, his labour required, and his reformation thereby facilitated. Some criminals will, in this country, be enabled to remove objections of employers through depositing their gratuities as security for their damaged characters. It is by means such as these, by enlisting the mind of the criminal in his own reformation, by training especially to the right use of the gratuities earned in prison, that we may hope to combat the truly great difficulty before us.

As a portion, and a most essential portion of prison treatment, it will be quite necessary that the early stages of discipline, and dietary, should be of such a description as to preclude the possibility of operating as a premium to crime—that the whole prison life of the convict should be, as far as is possible, of such a nature as to be beneficial to him only through means he has formerly avoided—the idle through industry, &c.

The probationary or intermediate stage of imprisonment must be so regulated as to render the labour of the criminals more economical and available to the State. On reference to the report of the committee on Harbours of Refuge made at the close of the last session, it will be observed how numerous and pressing are the calls for different works on our coasts, varying from 800,000*l.* to 20,000*l.* in estimated value. It will be quite evident, then, how convenient would be the application of special convict labour for these and similar purposes, provided it could be economically located on the site of the works by means of moveable iron buildings. Those used in Ireland for this purpose accommodate fifty men and three officers in each, at a cost of about 330*l.* I should explain here, that the fifty men are, in association, similar to soldiers in a barrack. Cellular accommodation would very much increase the expenditure, and in this special stage is, in my opinion, by no means to be desired. Objections have been made by those whose opinions, had they been properly based, would have been deserving of consideration; it has been stated that the association of prisoners is undesirable, and calculated to give rise to great

demoralization and irregularities; but these statements have been supported by experiments made, and experience gained, under totally different circumstances. Conducted with prisoners whose merit and industrial exertion during detention have placed them in the intermediate stage before release, this system has been found both reformatory and economical; the association, indeed, operating as a further test by which we may induce the public to employ the criminal. If we cannot control them in association after our long course of discipline and training, we cannot expect the community will have much confidence in their future well-doing. It is most important that this view should be fully recognised, for it is by the use of economically constructed moveable buildings that the labour of convicts can be made of greater utility to the State.

It must not be lost sight of that the employment of men so tested, and scattered in small numbers throughout the country, which has to absorb them, will be greatly facilitated by making them more accessible to the public around them, whose localities will be especially benefited by their labour.

Moveable and inexpensive prisons, officers aiding in industrial production, payments of gratuities according to amount of work, &c., will all tend to attain the result we aim at. When we have done these things, we shall, as far as the impressible are concerned, have done much, but not all. We must take all possible care that the liberated criminal profitably uses his special training. It may, and probably will, be that many, from time to time, will require warning, lest they again fall into crime. By means of a systematic supervision after liberation this can with ease be effected; and the difference between the minimum and maximum periods of imprisonment, under the Act of 1857 (Rules of Home Secretary), affords opportunity for this purpose, although not to the extent that would be desirable.

It will be, by these means, possible to register the really reformed on reliable data; and although, under such circumstances, our statistics will be very different from what they now are, they will be true; and we shall, for the first time, be made acquainted with the extent of the disease for which we are imperatively called upon to provide a remedy.

We shall then have to deal with the unimpressible class, whose reckless conduct during detention precludes their being discharged through the intermediate prisons. It will be necessary to retain them in strict imprisonment until the maximum period of their respective sentences; they will then be discharged, to be the curse and peril of our land, if we are not sufficiently aroused by the magnitude of the evil so to note them as to materially assist in rendering their re-incarceration, with a much-lengthened sentence, a matter of certainty at an early period, and *thus* render them also less noxious to the community.

I have now stated—

1st. The inestimable value of employment on liberation as a reformatory agent.

2nd. That by a system of classification and special training before discharge convicts can be better prepared for employment, and employers better induced to employ them; and that during this special training their labour can be rendered more available and economical to the State.

3rd. That by a system of registration after discharge we shall be the better able to deter from crime, assist reformation, and protect, and therefore obtain the assistance of, the employer.

4th. That the noting to the police the more heinous offenders will render their incarceration more certain and more lengthened, and thus protect society from their misdeeds.

I submit that a course of prison treatment tending to produce these results is theoretically right. I feel it my duty on such an important subject to briefly glance at a system already noticed and before the public, carried on in Ireland, and which has in practice proved the correctness of the theory.

The employer has in that country become more and more reconciled to the employment of men on licence, and who in many cases deposit their earnings as security for their damaged characters. Very many liberated criminals have wisely preferred to seek their employment in the colonies, where their former associates would not be, and where their antecedents would not appear against them. Registration after discharge has proved not to be an impediment to employment, as some have considered probable in theory, but of the greatest utility, as enabling us to give positive statistics, which are alone reliable. It has served to deter from crime, and has, at the same time, aided the well-intentioned and protected the employer. I could give many bright and startling examples of well-doing coming under my own personal observation, which would shake the scepticism of the greatest unbeliever in adult criminal reformation. I could tell of men reared and steeped in crime changing their course, and prosecuting a career of honest industry, under the most trying circumstances and the most distasteful labour—men who have at times almost starved rather than again be sent to prison. I could tell you of discharged criminals transmitting money to others to go to lands where reformation is easier, because employment is less scarce. I could tell you of letters from Lucknow and Delhi, and from other parts of the world, from those who as soldiers have by their good conduct been raised to non-commissioned officers, imploring their late companions to turn from the paths of sin and evil. No suspicion of hypocrisy can rest here, for, as is obvious, there is nothing to be gained.

I do not in these remarks allude to isolated cases, but to many, testifying so strongly to the value of the system, as to make it imperative that I should press most earnestly on the consideration of the meeting the subject I have in this paper brought before it. England is blessed with philanthropic associations devoted to the cause of preventing crime and reforming the criminal. I believe it will be tolerably clear how much their beneficial action may be increased by the institution of a prison system tending to filter those deserving of their support.

I have endeavoured to show how the difficulties of the convict question may rationally be solved—that the remedy for the disease is within our own reach; but I must go yet further, and allude to the circumstance of our criminal population generally—to the startling fact that many thousands are discharged annually from the prison gates of the United Kingdom, it is feared, for the most part, to renew their depredations on society. I believe that the establishment of a really sound and rational system of convict discipline will induce those whose duty it is to pass sentences so to lengthen them, in the case of the habitual offender, as to bring him within the area of a supplemental and reformatory system, as before described. In principle this is admitted, and sometimes acted on in the case of old offenders, and of juveniles sent to reformatories for lengthened periods. If more pains were taken to identify criminals, and to bring their course of crime before the judge, this result would no doubt very generally follow. If the supplemental and reformatory period can be made as economical as I maintain that it can, there need be no difficulty felt on the score of expense at the more lengthened period of detention of the criminal.

I have not thought this the proper place, neither would it have been possible within the limits of my paper, to enter into an explanation of the details of the Irish Convict System, although I am aware there may be some who would not consider them too tedious. I can only state that I shall be glad to give any information on the following points.

1st. How convicts work themselves from one class to another by means of a 'system of marks' (borrowed to a great extent from Captain Maconochie) until they attain the intermediate prisons.

2nd. In what the special training and labour of the convicts in the intermediate prisons consists.

3rd. Why these prisons are economical and convenient to the State.

4th. How police supervision is thereby simplified and acts as a protection to the employed and employer.

I trust I have now explained how intermediate prisons can materially aid in solving the difficulties of the convict question. I have alluded to the system in Ireland, because in that country alone are these prisons established; I am, at the same time, far from believing that system to be as perfect in its details as it may yet be made. Each year, and almost each month, shows me some progressive improvement which may be safely and profitably grafted on a principle proved to be sound and known to be successful. It has had some advantages—it had before it the experience and results of the English convict management, well known to and appreciated by all, as having superseded former gaol systems, so prolific in training to crime, so discreditable to this country. In its development the Irish system has received the assistance of gentlemen whose experience and ability had largely contributed in making the English convict prisons what they are. The intermediate system has above

all had the great and especial advantage of being inaugurated under the vice-royalty of our noble President, who gave to it not merely official countenance, but a fostering support at a period when even sound principles were suspicious, because they were tentative and new,—when both instructors and officers, however zealous and efficient, required encouragement to tread in paths that were thorny and not unattended with risk.

Few can ever know, none save myself can fully know the beneficial results of this powerful, this timely, this providential, support.

Labour and Appetite: the Bases of a Self-supporting and Reformatory System of Prison Discipline. By CHARLES PEARSON, *Solicitor to the City of London.*

IT has pleased Almighty God to implant in the physical constitution of man producing powers and consuming appetites, which, by action and reaction, not only enable, but compel, the aggregate family of mankind to be, and for ever to remain, a self-supporting and self-producing race.

Habitual criminals are the only members of this great family privileged to enjoy life exonerated from this all but universal condition of human existence. Without lawfully possessing property, the result of labour—without exercising their own producing powers, they contrive, while at large in the world, to gratify their consuming appetites by forcibly or fraudulently appropriating to their own use and enjoyment the fruits of the producing powers of other men. When in prison for the punishment of their crimes, the position of habitual criminals, as between society and themselves, is but little changed, so far as their producing powers and consuming appetites are concerned; for, when in prison, the law permits their producing powers to lie dormant, while it satisfies, and even gratifies, their consuming appetites at the cost of the rate-paying portion of the community.

Against this system of dealing with criminals, as an exceptional class, I respectfully but firmly continue to remonstrate. I did so in my place in the House of Commons, and before one of its Committees in 1849 and 1850, when I proposed in its stead a system of penal treatment, which, by placing the criminal under the natural action and reaction of his producing powers and consuming appetites, would render him a self-supporting instrument of his own punishment and reformation.

The existing system is not only against the order of nature, as manifested in the physical constitution of the human species, to which I have already referred, but, first, it is a violation of the dis-

tinct will of God, as declared in the Scriptures; secondly, it is in opposition to the spirit of the English law; thirdly, it is an encroachment upon the rights and interests of the honest and industrious portion of the community; and, fourthly, it is injurious to the present and future welfare of criminals themselves.

1st. The first criminal law and penal sentence ever promulgated was a labour and appetite law and sentence pronounced by Almighty God, for man's transgression, upon the whole human race. Unto man He said, 'In the sweat of thy face shalt thou eat bread until thou return unto the ground'—Gen. iii. 19. The universality of the application of this penal law and sentence is maintained throughout the Scriptures, and is especially applied to criminals, both under the Jewish and Christian dispensations. By the Mosaic Law it was expressly declared that a thief should be sold into bondage, that he might compensate to society for the crimes of his body by the labour of his hands—Exodus xxii. 3. Under the Christian dispensation, St. Paul declares, Eph. iv. 28, 'Let him that stole steal no more, but rather let him labour, working with his hands,' &c.; and it is propounded in the New Testament as the universal law, from which criminals are allowed no privileged exemption, that labour is to be the condition precedent to the enjoyment of food. 'If any man would not work, neither should he eat'—2 Thess. iii. 10.

2ndly. The existing system, as it is at variance with the Word of God, so it is in opposition to the spirit of our laws, for, as our text-writers and commentators tell us, the Bible is part and parcel of the common law of England; and appeals are continually made, in both Houses of Parliament, to the text of the Holy Scriptures, as the guide and test of imperial legislation.

3rdly. The existing system is an encroachment upon the natural and social rights of the honest and industrial portion of society; while, as I respectfully contend, the self-supporting system which I advocate is in strict accordance with their interests and their rights.

In support of the two assertions involved in the third proposition, I respectfully submit the following facts and arguments, which were in substance adduced before the House of Commons' Committee already referred to.

The expense in the cost and management of our prisons is so excessive under the existing system, that the State is obliged to sanction the passing of short sentences, and the Government is compelled to resort to 'tickets of leave,' and other temporizing expedients, still further to abridge the actual sentences of the law. If judges and magistrates were to pass such sentences as they, in their consciences, believe to be necessary to effect any solid reformation in the mind of the criminal, the prison accommodation throughout the country, under the existing system, must be doubled to provide for the additional number that would constitute the average prison population.

In reply to a question from Lord Brougham, as Chairman of the Prison Inquiry Committee, in the House of Lords in 1847, almost every judge in England, Ireland, and Scotland, who answered the question, declared that imprisonment under existing systems for less than six months was insufficient to produce any reformatory effect, and yet upwards of 50,000 criminals annually pass through our prisons sentenced for shorter terms. More than half this number are supposed to live by depredations on society in one form or another. Whether out of gaol or in gaol, they contrive to evade the labour and appetite sentence passed upon our first parents. When out of gaol they take from the pockets of other men the produce of their industry, that they may themselves live in idleness; when in gaol they are supported at a cost of thirty or forty pounds a-year for board and lodging, which is paid for out of rates levied upon men who have to work hard to maintain themselves and families. Of all the male prisoners in our gaols, both for long and short terms, more than three-fourths are able-bodied youths and men of a working age and condition, who, if they were industrious, living in a free state as honest men, would not only maintain themselves by the sweat of their face, but would perhaps support a wife, and perhaps two or three children, out of their honest earnings. By conviction for crime the liberty and labour of the criminal are forfeited, and society has a right to compel him to employ all his confiscated time and energies to defray the charges incident to his position. The State has, moreover, the right to apply any surplus beyond the cost of guarding and maintaining him to such purposes as the law may have determined. If men of the average age and strength of these 50,000 prisoners can, and do in a state of freedom, earn by their own exertions, as mechanics or labourers, twenty, thirty, forty, or even fifty pounds a-year, when thrown upon their own resources, to maintain themselves, why should not these 50,000 prisoners be able to produce the same results, instead of earning, as the prison population do, about two pounds a-year per prisoner for the produce of their skill and industry, the public being left to pay twenty or thirty pounds—the difference between their earnings and their cost!

If, therefore, there is at the command of her Majesty's Government so large an amount of confiscated labour which the State has a right to claim and apply to its own use, why should not this be done, particularly so if it can be proved that such an application of the labour of criminals would be made conducive to their moral and social reform, as well as to their maintenance and support? There is one, and only one way, in my opinion, by which this object may be effected, and that is by making it a condition of prison discipline that the 'labour and appetite sentence' shall be strictly applied in all cases where the health and strength of the prisoner will admit.

The proposed plan for accomplishing these objects, as described to the House of Commons Committee, contemplated the establishment of large industrial prisons, secure and strong, plain and cheap, with separate sleeping cells for each inmate; the prison to be sur-

rounded by strong and lofty walls, enclosing 1000 or 2000 acres of land. I propose that each of these prisons shall accommodate 1000 or 2000 inmates, classified, sub-classified, and distributed in different prisons according to their economical condition, whether artisans, mechanics, or labourers, according to their physical state, their age and strength, according to their moral and legal status, whether felons or misdemeanants, under longer or shorter sentences, and whether hardened offenders, or novices in crime.

By having one superintending power to deal with the large fund of confiscated labour which our entire prison population affords, means would readily be obtained for a most perfect system of classification, legal, moral, social, and economical, for the purpose of meeting all the various objects I have described; so that the mutual contamination of prisoners might be prevented, discipline might be enforced, and the reformation of the prisoner, one of the first objects of the system, might be promoted at the same time that justice would be done to the ratepayer by turning the confiscated labour of the criminal to the best and most profitable account.

When the contemplated plans for the classification of prisoners are complete, I propose that they shall, as nearly as economical considerations and prison arrangements will admit, be employed in the pursuits at which they are most apt, and to which they will be returned at the termination of their sentences.

Thus, I do not propose that labourers, as at Millbank, shall be converted into tailors or shoemakers, frequently spoiling their materials, making but little or no profit by the work, and rarely, if ever, qualifying themselves to compete with the free craftsmen in the labour market on their discharge; an object certainly not to be desired, if it were attainable in this country, where all the branches of industrial occupation are filled by honest men who contribute to taxation to defray the charges of instructing the Millbank convicts thus brought into competition with themselves.

On the other hand, I would not condemn the watchmaker, or the ingenious artisan, or any other mechanical tradesman, to spoil his hand by breaking stones or working at the treadmill; nor would I disable a navvy or an agricultural labourer by setting him in solitude to pick oakum, day after day, in the artificial atmosphere of a heated cell. As I denounce idleness, so I disclaim compulsory slave labour as an instrument of prison discipline or reformatory punishment. I would make, it is true, bodily labour a condition precedent to bodily enjoyment. Labour should be made to feed the appetite, or the appetite should be made to enforce the labour. Nine times out of ten the irregular indulgence of appetite will be found either the proximate or the remote cause, both of the commission of crime and the suffering of punishment amongst our prison population. Appetite has been to the criminal outside of the prison both a tempter and a traitor; within the walls it should be made his teacher or his tormentor. The criminal should be practically taught to balance accounts between the organ of appetite and the organ of labour; the right hand of industry,

long neglected and despised by the idle criminal, will then be taken into his confidence as the only friend that can serve him in the hour of distress. Hard fare and a hard bed should be the zero enjoyments of the idle criminal who refuses to work, and requires to be fed at the expense of honest industry. As I propose that the right hand of his industry shall be the instrument by which the reforming criminal shall appease his bodily wants and minister to his bodily enjoyments, so I propose that the same right hand of industry shall be the instrument of his restoration to freedom, not by being put in motion by fits and starts of exciting activity, but by constant and continuous exertion, cancelling hour by hour the sentence under which he is confined. I propose, as Maconochie, and Whately, and Paley, and Howard have before suggested, that the sentence of the law should not be a rigid time-sentence, which good or bad conduct cannot either abridge or prolong. It is proposed, instead of a judge condemning the criminal to so many years or months of imprisonment, that the sentence pronounced shall be a labour sentence of so many thousand hours of labour, as the character of the criminal and the crime shall appear to warrant. It is proposed that the criminal shall have, as an idle man's allowance, twenty ounces of coarse bread a day, with water *ad libitum*, and that every hour's labour fairly performed shall entitle him to a half-pennyworth of additional diet, at a fixed tariff, and shall at the same time cancel one hour of his labour sentence; so that if the instinctive love of liberty, or the lower motive of bodily gratification, shall prompt the criminal to give twelve hours a day, day by day, of honest work, he will, at the end of the week, have obliterated seventy-two hours from his labour sentence, and will have earned the right—the positive right—to have and enjoy three shillings' worth of palatable food, in addition to his eight pounds and three-quarters of bread, the zero diet of the prison. If these motives are less operative upon the mind of other criminals, and they choose to work only ten hours, or eight hours, or six hours, out of the twenty-four, their diet will be as much below the diet of their industrious fellow-prisoner as the duration of their imprisonment will be prolonged beyond the time when he will have earned his freedom. Assuming that the equivalent of a twelve months' sentence under the existing law would be 3000 hours of labour, as representing ten working hours for each working day, the man who worked ten hours a day would cancel his sentence in one year; he who laboured twelve hours would work himself out of gaol in ten months, while he who worked only eight hours, or six hours a day, would have his two shillings' worth, or his eighteenpennyworth of food per week, and he would remain in confinement fourteen months, or sixteen months, as the case might be.

While I would require a criminal in the industrial prison to dedicate more hours per week to Divine worship and religious teaching, as well as to mental instruction, than nine-tenths of mankind, rich or poor, ignorant or learned, who are engaged in the business of the world, really apply to all or any of these important objects of

their existence, yet, I verily believe that an infinitely greater amount of good will be effected in an infinitely greater number of prisoners by stereotyping their bodies with habits of constant and continuous industry, stimulated by the impulses of their own will, under the pressure of their own wants, than has ever been effected by steeping the bodies of prisoners in enervating idleness, by crushing their powers of volition in soul-subduing solitude, or by cramming their minds with such worthless, because to them useless, studies as Dr. Hampton ascribes to the prison pupils of Pentonville.

There are, year by year, upwards of 30,000 prisoners who figure in the prison reports as re-committals, besides a great number not placed in that category, because their former commitments are not known to the authorities of the gaol. I have been told by some of the best informed persons in prison statistics that these 30,000 re-committed prisoners represent about double the number of their own class, who are living upon the public in some form outside the gaol, and are ready to supply the places of their confrères within its walls when their time-sentence shall have expired.

4thly. That the existing system of prison punishment is injurious, and the proposed system would be beneficial, to the present and future welfare of the criminal himself, seem to me to be inferred from the foregoing observations.

Men are not only what society makes them, but what society pleases to call them they frequently become. Lord Palmerston is reported to have said 'that what is called a nuisance is but matter in a wrong place.'

A criminal is a nuisance in that sense, but only for the same reason. I affirm that if society will put him in his proper place, and subject him to the influence of proper motives, he will prove himself, instead of a pestilent and dangerous nuisance, a valuable property, able and willing to maintain himself, to defray the charges of his own reformation, and create a surplus available to replace him in society if committed for a small offence, or to establish himself as a free settler abroad if condemned for graver crimes. Let all convicted criminals be classified and placed in classifying industrial prisons—let the quantity, quality, and palatability of their diet, the amount and character of their bodily comfort, rest, and recreation, as well as the duration of their confinement, be made dependent upon their good conduct and the amount of their industry. As far as the financial interests of the country are concerned, the judges need not in such cases and under such a system fear to pass sentences equal in duration to their opinion of the gravity of the crimes they are called upon to punish, because the produce of the industry of criminals as a class will, I am confident, be found in a few years to defray the charges of their incarceration and reform. It has been asked what are my proofs that the criminal class under the reformatory regimen I propose, can be made to maintain itself, and create a surplus sufficient to give to each prisoner, discharged after a light sentence for a small offence, some means to get a start again in society; or to pay to the graver offender on the fulfilment of his heavier sentence a sufficient sum, the produce of his own labour, to remove himself to a wider and more

friendly market of employment in a distant land. I answer, the witnesses I did examine, and the witnesses I had ready for examination before the House of Commons Committee (if they had had time to continue the inquiry,) would have overwhelmed them with such proofs.

Besides which, by reasoning from analogy, the fact will, in my opinion, be clearly established in the mind of every impartial inquirer after truth.

Upwards of eighty per cent. of our criminal population range between the ages of sixteen and forty-five, the precise period when, according to universal experience, the powers of production possessed by the human race greatly exceed their bodily wants. Poets and philosophers have invented various divisions of time to mark the several stages in the life of man. For the purpose of social economics, and to measure his relative producing and consuming powers, I have been accustomed to divide the 'three-score years and ten' of the hard-working, hard-faring man in this country into seven decades: in the first, he consumes and cannot produce; in the first half of the second decade he consumes more than he produces, while in the second half he produces more than he consumes; so that, by balancing them against each other, the powers of production and consumption in the entire decade may be said to be equal.

In the next three decades, from twenty to fifty, man's powers of production far exceed his necessities of consumption. During the next decade, the excess of his powers in the earlier, and their gradual diminution in vigour during the latter half, may be said again to balance each other, and thence he becomes, to a great extent, a consumer instead of a producer, and so continues onwards during the remainder of a life which becomes in itself labour and sorrow, and soon passeth away.

Labour and industry are the sources of all wealth. The working population so far outnumber all other classes, that they have been not inaptly described as the pith and marrow, the bone and sinew of the nation. It is mainly to the excess of their productive powers beyond their natural wants, that a nation must look to rear and support the large masses of its non-producing population. Besides which, in common with the other members of the community, they contribute their quota to the indirect, and often to the direct taxation of the State. They live in taxed houses, built with taxed materials, they consume taxed tea or coffee, taxed beer or spirits, taxed snuff or tobacco. Out of the aggregate amount of the national taxation to which they thus contribute, not only are the charges of the army and navy defrayed, but police and judges, and prisons and penal settlements, are provided for the apprehension, trial, and punishment of criminals, who, by a vicious system of legislation, are permitted in crime and wretchedness to waste the thirty or forty years of their middle life, oscillating between plunder and prison, now macerated in misery, now steeped in crime, until the grave closes over them, perhaps without having fulfilled towards themselves, or their country, any one of the natural duties of their position, which if the law had done its duty by them, they would have been able and willing to perform.

The all-powerful connexion which subsists between labour and appetite was written in the beginning, by the command of the Almighty, upon the physical constitution of man; and from all time the great masses of mankind, prompted by its impulse, and guided by an unseen hand, have yielded an unmurmuring obedience to its dictates.

If the honest millions, as they pass through life, can and do, during what is recognised as the producing age, not only provide for their own wants, but create a large surplus, by which the non-producing classes are supported, and the institutions of society are sustained, it surely ought not to be endured that any portion of the same race, and of the producing age (whether 1000 or 100,000), should be permitted in a Christian country to separate themselves from the class to which they naturally and socially belong,—should be permitted to renounce their allegiance to the fundamental law of their existence, and declare in practice that by the sweat of the face of other men, they will eat of earth's choicest fruits.

The only rational, merciful, and effectual corrective of such offenders against all laws, human and divine, is, I repeat, to classify and place them in secure prisons, surrounded with substantial and lofty walls, to subject them, week by week, to seventy or at least sixty hours of useful and profitable work, to allow them sixty or at most seventy hours for food, rest, cleanliness, and their other bodily requirements; and to give them twenty-eight hours of leisure for the cultivation of their immortal spirits, with means and opportunities for mental, moral, and spiritual instruction, and for the public and private worship of God. If 20,000 or 30,000 able-bodied criminals, whether skilled or unskilled labourers, between the ages of eighteen and forty-five, be placed under the circumstances I have suggested, and if they be subjected to the same labour and appetite sentence that moves mankind in a free state, by declaring, as an inevitable law of their penal existence, that the quantity, quality, and palatability of their food, the amount and character of their rest and recreation, and the duration of their confinement, shall be made dependent upon the quantity and quality of their work, and their good or bad conduct in gaol,—if these principles be admitted and enforced by law, and this number of criminals do not maintain themselves, it must be from a defect in our power of administration, discreditable to our character as a practical commercial nation.

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*On the Treatment of Criminals in certain States of Germany.**

By Matthew Davenport Hill, Q.C.

During a short visit to Germany, made in the summer of the present year, I had some opportunities of acquiring information

* Read, in the absence of the writer, by Lord Brougham, whose interlocutory observations are given with the paper.

respecting the treatment of criminals in that country, which I proceed to lay before the department.

Communications from Mr. Baillie Cochrane,* the Rev. Chauncy Hare Townsend, and the late Mr. George Combe,† have called public attention to the system of discipline pursued now for many years by Governor Obermaier at the State Prison at Munich; all speaking of it in the highest terms. To this testimony in its favour I was able, two years ago, to add a very important document, consisting of answers to various queries which I had sent, through the intervention of Sir John Millbanke, our Envoy at the Court of Bavaria, to the Minister of the Interior for that kingdom. These answers supported, in the main, the statements of the three travellers.‡ Some months ago, however, I found that the success of Governor Obermaier's treatment was controverted by no less an authority than Dr. Mittermaier, the celebrated professor of criminal law in the University of Heidelberg; whose opinions on prison discipline are very much in unison with those entertained by our late President, Lord Brougham, and reduced to practice in their highest perfection by Captain Crofton and the Directors of the Convict Prisons in Ireland.

Being desirous to ascertain upon what proofs the facts rest which had led Dr. Mittermaier to unfavourable conclusions, I proceeded to Heidelberg, and obtained the advantage of personal intercourse with him. I found that he had not been able to visit the prison himself, but had relied on information collected from the debates and reports in the Bavarian Legislature, and from other highly respectable sources. Still, however, this evidence being dissected, resolves itself pretty much into hearsay.

From Heidelberg I went to Munich, to investigate for myself, so far as time and opportunity (both much limited) should permit, Governor Obermaier's plans, and the results of them; and to inquire upon the spot into the charges to which they had become obnoxious. At Munich I found that the impressions under which Dr. Mittermaier wrote had had their effect in quarters deserving of all deference; but I failed to obtain any reliable *data* in support of them. Having received from the Minister of the Interior the requisite authority to inspect the prison, I waited upon Governor Obermaier, who accompanied me through the establishment, and kindly devoted many hours to my inquiries; which were as strict and searching as I was able to make them.

I feel that I lay myself open to the charge of presumption when I venture to decide between Germans of great eminence and unquestioned ability, on the subject of one of their own prisons; and even if I had gone so far as to form my present opinion very decidedly, I should not have been bold enough to give it public utterance, had I not the best grounds for belief that the adverse criticisms which have been

* Transportation Committee, H. C., 1856, Second Report, Appendix, p. 160. See also 'Suggestions for the Repression of Crime,' p. 443.

† 'Suggestions for the Repression of Crime,' p. 578.

‡ 'Transportation Committee Reports,' H. C., App. 169. See also 'Repression of Crime,' p. 564.

passed on the discipline of the Munich gaol are founded, not on ascertained facts, but are deductions drawn from what the reasoners consider the inevitable consequences of a system which they believe to be unsound in principle.

As an ample notice of the Munich prison is contained in the Appendix to the Reports on Transportation, made by a Committee of the House of Commons in the year 1856, I shall say little more of the system in this paper than is necessary to explain the points in dispute.

The great end which the Governor pursues with unwearied assiduity is the reformation of his prisoners. To effect this object, he engages them in manual labour, applied to various arts and manufactures; so as to employ each individual according to his previous habits of life, or his capacity, mental and bodily. The prisoners are urged to industry and good conduct by rewards and punishments. So far as the law permits, their treatment is mild, and the Governor aims to act more by encouragement than by severity. Kindness, as distinguished from indulgence, is the characteristic of his regulations. Indeed, the law in Bavaria is sufficiently harsh. The terms of imprisonment are of enormous length. Two prisoners were brought in from a distant gaol while I was present. One had been twenty years in confinement, the other twenty-four. To come under the care of Obermaier must, if I may judge from their appearance, be a happy change for them. Their countenance and bearing were those of men from whom life had been almost crushed out by a routine of gloomy and monotonous existence. Much to the Governor's regret, his prisoners wear chains; his power of rewarding exemplary conduct being limited to a diminution of the weight of these revolting appendages. In rare instances, however, as a reward for good conduct long continued, individuals are relieved of their chains by royal command.

His prison answers in some respects to the convict prisons of England and Ireland. None of the inmates remain for a less term than six years. After that period, a certain limited discretion is allowed to him of recommending well-conducted prisoners for pardon, which recommendations are always acted upon by the authorities.

Notwithstanding the rigours imposed by the law, many of the prisoners appeared healthy, and a large proportion of them had lost that repulsive expression which marks the face of the criminal in the lower stages of discipline.

So far, there is nothing in the conduct of the gaol, as dependent on the Governor, from which Professer Mittermaier would dissent; but he, in common with many members of the Legislature and certain authorities in the Government, have formed a very exalted opinion of the separate system, to which Obermaier is opposed. True it is, that even if the Governor were its partisan, he could not carry it into operation, as the Ministry, however they may think it desirable, have avowed the inability of the finances to bear the great expense of introducing cellular separation into the prisons of Bavaria. For myself, I cannot but think that the truth lies between the two extremes.

To separate the prisoner from his fellows at the commencement of his incarceration is, I hold, most desirable; nor would I give him associates until both he and they had manifested a steady desire for self-improvement, and a capacity for acting, to some extent, on their better aspirations. But looking upon him as hereafter to be returned to society, I cannot believe it wise, and herein Dr. Mittermaier agrees with me, to deprive him of companions up to the moment when he is again launched into the world,—a period at which he will be called upon all at once to resist, by his own strength, influences from which he has been artificially guarded for years, and to resume the fulfilment of social duties so long suspended.

On the whole, I must think it fortunate that the zeal of Governor Obermaier, who had no alternative but to keep his prisoners in association, was not damped by the conviction that he was deprived of an expedient deemed essential by himself to the success of his reformatory labours; for that he has been successful to a very considerable degree I found no reason to disbelieve. From the answers furnished to me by the Minister of the Interior, it would appear that the average of reformed prisoners cannot be much less than from seventy to eighty per cent., perhaps even more. And, without pinning my faith to figures, I am strongly persuaded that in this instance they do not materially differ from the truth. Assuming, then, that the success which is officially claimed for the training of the Munich prison has been established, we may look upon the Governor's practice as a long series of experiments in reformatory training, of great value in aiding us to separate the essential conditions of reformation from those which are either merely accidental, or at best only auxiliary, or what are demanded by some peculiarity arising out of the race, or nation, or class, to which the prisoners may belong.

The possibility of reforming criminals while in association does not, however, rest entirely on the experience of Governor Obermaier. Colonel Montesinos, at Valencia, in Spain, appears without any concert with Governor Obermaier, and (so far as I know) without the slightest knowledge of his proceedings, to have pursued much the same course, and to have equally attained his object.* And other instances might be cited in proof of the proposition.

But the disapprobation of Governor Obermaier's system is not confined to the absence of separation, although I am very much inclined to the opinion that this defect predisposed the minds of his critics to look unfavourably on his whole scheme of discipline. He is accused of having recourse to the spy system, and thus subverting the moral sentiment of the prisoners where it exists, or of preventing its growth where (as in the majority of cases, perhaps,) it is yet to be inspired. The circumstances which have led to this grave charge are

* 'Transportation Reports,' App., p. 163, *et seq.* and p. 171. See also 'Repression of Crime,' p. 555, *et seq.* and p. 571.

these:—The Governor inculcates it as a duty on the prisoners to inform him of any misconduct on the part of their companions. Such information being given, he proceeds to a public examination of the case in the nature of a trial, and the accused is convicted or acquitted, according to the evidence; no benefit whatever accruing to the accuser for executing his invidious office.

Does such a regulation prove the employment of the spy system? The practice has been followed, say the critics, by the usual consequence of employing spies. Three instances have occurred in which the individual charged has risen upon his accuser and murdered him. This is true; but when it is known that the regulation has been in force for upwards of fourteen years, and that the prison contains from 550 to 600 inmates, it will seem too much to condemn the practice without carefully examining whether any system of discipline applied to criminals, who, like those at Munich, have been convicted of grave offences (deeds of violence for the most part) has been able effectually to restrain outbursts of revenge against officers or comrades, through whom prison offences have been brought under the notice of the authorities.* For myself, I am not acquainted with any device, short of suffering such offences to be committed with impunity, which either has stood, or can reasonably be expected to stand, between the accused and his accuser as an absolute safeguard. But here, the essential criterion of a spy system seems absent; that is, advantage operating by way of bribe upon the accuser, whereby a motive is created to inveigle the accused into the commission of an offence, or to fabricate evidence against him in order to sustain a false charge. I inquired most anxiously as to the possibility of such motive being in action among the prisoners, and was assured that neither directly nor indirectly could the informing prisoner be a gainer by fulfilling the duty which the injunctions of the Governor had cast upon him.

[Lord Brougham.—In this important particular, the difference between Mr. Commissioner Hill's inquiries and those of Professor Mittermaier, is very remarkable; the former being a direct observation and examination on the spot, the latter being chiefly upon hearsay. It would be difficult to conceive any course of questioning more likely to give different answers according as the questioner came nearer or was less near the parties whom he examined, or on whose cases he made his observations.]

In the absence, then, of any sinister motive, it is hardly possible to believe that false or frivolous charges will be preferred, except where the parties may have quarrelled, a contingency which has nothing to do with the spy-system, but which is necessarily incident to association. The natural order of things must be, that the comrades of the offending prisoner will have tried the effect of admonition and exhortation, before they proceed to the extremity of reporting their companions for punishment.

That such a regulation does not become a dead letter, furnishes to

* In June, 1858, the number of prisoners was 620.

my mind cogent evidence that the moral tone of the prison is high. To suppose that an individual prisoner unbribed, and yet not impelled by a sense of duty, he having no other possible motive, personal spite excepted, would step out from the throng to denounce a comrade, is to suppose that he would encounter the scorn and hatred of the community to which he belongs, without *any* motive. Before he moves he will require the support of public opinion, which will be against, and not with him, unless the moral sentiment of the general body is in favour of the proceeding which he is about to commence; *his* public being composed of his fellow-prisoners. If this be the true light in which to regard the regulation in question, it should be looked upon, not as an objection to the Governor's discipline, but as an invaluable test of efficiency in the moral training of the prisoners. And I cannot but believe that the first indication of the tone having become relaxed would be that the Governor and his officers were left to find out delinquents by their own unaided efforts.

I also visited the State Prison of the Grand Duchy of Baden at Bruchsal, which is under the zealous and humane superintendence of an intelligent physician, Governor Fissling. The prisoners are, with few exceptions, in a state of permanent separation; not only during the hours of labour and of rest, but at all other times—at school, at church, and on the exercise ground. The cell is larger than is customary in England. It is lighted by gas, and in the winter is supplied with warm air. The prisoner has the full command of his own window, which gives him the means of complete ventilation. The cell contains a work-bench or loom, the prisoners being employed in various handicrafts, at which many are adepts. Each inmate has books furnished to him from the prison library. He has materials for writing and for drawing. He receives visits from the Governor and Chaplain, and other official persons. I went into many of the cells, and was pleased with the appearance of health, and the absence of evil passions and stolidity observable in the countenances of the prisoners. As in Bavaria, and indeed throughout Germany, the terms of imprisonment are very long. They are, however, mitigated by pardons granted for good conduct, but not until after a dreary length of confinement. At the expiration of six years a well-conducted prisoner has the option of passing into association with others who have gone through a similar probation; but the Governor informed me that comparatively few availed themselves of the privilege. My surprise at this announcement was somewhat lessened when I went into the quarter of the associated criminals, and found among them a considerable proportion of idiots and harmless lunatics, who were considered unfit to be left alone, and who had, therefore, not been confined in cells. Still, however, there is much which requires investigation in this unnatural preference for a life almost solitary, and for an entire separation from those with whom the prisoner stands upon an equality. Captain Maconochie states that he has found a long course of separation so to foster all the self-regarding desires of the individual, and so to weaken all his sympathies, as to

have made even well-disposed men very unfit to bear the little trials of domestic life on their return to their homes.

In England, as we all know, the disposal of the prisoner on his discharge is our main difficulty. Unless we are content that he shall be all but forced to return again to crime, from the impediments which stand in the way of a liberated criminal, who is abandoned at the prison-gates and thrown on his own resources, or, what is far worse, exposed to the temptations offered to him by his former partners in crime, we must take upon ourselves the onerous task of aiding him to find honest employment by which he may procure a maintenance. In Baden and in Bavaria little or no difficulty of this kind is felt. Neither of those countries, I am assured, suffers under that organization of capital and labour among criminals out of prison, which so prevails at home, as to make the criminal classes a distinct and potent order in the community, composed of whole families addicted to dishonest pursuits. It seldom happens, I was told both by Obermaier and Fissling, that a criminal on his discharge is entirely destitute of honest relatives willing to receive him; and, in any event, there is a demand for labour sufficient to render it comparatively easy for him to find employment.

One consequence of this state of things is, that the patronage societies have fallen into disuse; the want which they imply not being sufficiently urgent to keep them in activity. It would be both interesting and useful to ascertain what share long imprisonments may have in preventing the formation of a criminal order. My own impression is, that they must be very effectual to this end. Long terms of imprisonment certainly enable each individual to become expert in some calling by which he makes himself acceptable to employers. They completely break up his old evil companionships; and give him time for maturing principles and confirming habits in direct antagonism to those of his past life. Doubtless, however, the paucity of large cities in the German States ought not to be disregarded while investigating the causes of the superiority which most of them, perhaps all, may claim over England as to this important ingredient in social comfort. Let me observe, in passing, that the prisoner's faculty of contribution towards the expenses of the gaol must of necessity increase with his progress in the art or manufacture to which his labour is applied.

Bruchsal has been under its present system for some years. Hitherto, no tables showing its reformatory effects, as indicated by the permanent well-doing of its discharged inmates, have been published, but as experience of sufficient length is now considered to have been attained, statistical information on this most essential point will shortly be given to the world. With regard to the cause of crime in Baden and Bavaria, each of the governors whom I have mentioned assured me that it was *wine* in the one country and *beer* in the other which filled the gaols.

[Lord Brougham.—Nothing can be more important than this statement; for although the proportion of crimes of violence to other

offences is very great in the Bavarian prison, that proportion is not said to exist also in the Baden; and even supposing both prisons to have the same proportion, and that intoxication has not as much to answer for in producing crimes of a different description, still it is no small addition to the evidence in favour of temperance if drunkenness is found to be the main cause of violent crimes. But, in leading to all crimes, it must have a direct and powerful operation. Intemperance affects the whole character, as well as the whole comforts, of the working man; makes his labour more painful, his gains less considerable, diverts them to unworthy purposes, and lessens the means of satisfying his wants, while it increases their number and intensity. It is the especial curse of the working classes.]

Although I had no opportunity of visiting other prisons, I had the great advantage of two long interviews with Dr. Wichern, the distinguished founder of the Rauhe Haus, near Hamburg, whom the King of Prussia has lately appointed chief inspector of gaols throughout his dominions. The difficulties in Prussia, arising out of the laws which regulate punishments and prisons, and the present state of opinion among official men, are such as to offer very serious obstacles to improvement. Dr. Wichern, however, has struck out a most happy expedient for gradually introducing the required changes. At the Rauhe Haus, in addition to the juvenile outcasts of both sexes who are cherished in this establishment, Dr. Wichern opens its doors to earnest and disinterested young men who seek him with the intention of devoting their lives to the good of others. Members of this body, who feel a vocation to reformatory labours, he sends, after a training of three years, to the Prussian gaols to fill the inferior offices within their walls as vacancies occur. They reject no duties, however servile, attached to the post to which they may be appointed. They are instructed to act on the minds and hearts of the prisoners; but rather by kindliness of manner, and by the example of self-sacrifice and unsullied moral conduct, than by precept or exhortation, which might be deemed an encroachment on offices filled by others.

Dr. Wichern has a lively and, I trust, a well-founded belief, that the unassuming labours of these devoted men, all acting under the impulse of strong religious convictions, will work a silent amelioration in the prevailing spirit of the intercourse between the prisoner and those under whose control he is placed, by proving the superior efficacy of gentle treatment as compared with harshness of demeanour; and thus a foundation will be laid for a gradually arising superstructure, combining all which a wise benevolence can desire. It is impossible to contemplate so noble an enterprise without emotion. Doubtless it will have the cordial wishes of this audience for its triumphant success!

[Lord Brougham having expressed very strongly the feelings which the concluding portion of this paper occasioned and the extreme gratification in which he entirely joined Mr. Commissioner Hill at viewing the admirable labours of these young men, was induced, at a

subsequent part of the sitting, to advert again to the topic, in consequence of a member stating that without other inducements than their own charitable and public spirited dispositions the services of these young persons could not be relied upon. Lord Brougham said he was very far from denying that they should have held out to them the prospect of promotion in consequence of their pious labours, at first gratuitous;* and it should seem that the promotion of Dr. Wichern gave room to expect such a course to be taken by the Government and by himself.]

REFORMATORIES AND REFUGES.

The Reformatory and Refuge Union. By Robert Hanbury, M.P.

THIS association was established in the spring of 1856, as a centre of information and encouragement for reformatories, refuges, and industrial schools, with the view of promoting, as far as possible, the well working and success of such institutions.

In stating the operations of the Reformatory and Refuge Union, it will be unnecessary to go farther back than October, 1857, an account having been rendered up to that period in the paper which was read at the First Annual Meeting of the National Association for the Promotion of Social Science; and full details are contained in the first and second annual reports published by the committee of the Union.

The general committee is composed of about 130 members, who are mostly representatives of different reformatories, refuges, &c. From this number the managing committee is selected, who meet every fourteen days.

The principal subjects which have occupied their attention during the past twelve months are:—The admission of Children to Institutions—Emigration and Colonial Agency—'The Great Social Evil'—The Minutes of the Committee of Council on Education—The School Ship in the Thames.

I. In October of last year, in consequence of complaints made by some of the metropolitan magistrates of the want of accommodation for criminal children in the Protestant reformatories, the committee made inquiry of the managers of the different institutions throughout the country as to the number of vacancies they were disposed to fill with London boys, and the terms on which they would be received.

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* Not quite gratuitous, unless I misunderstood Dr. Wichern; but remunerated only by the small stipends attached to the offices when filled by the very inferior class of persons, who alone can be expected to accept them, in the absence of the higher motives which influence the young men from the Rauhe Haus.—M.D.H.

The managers of several schools at once consented to receive a limited number, under certain conditions, as to age, &c. A form of application was prepared, copies of which were forwarded to the magistrates of the metropolitan police courts, with a letter signifying the readiness of the committee to assist the magistrate in finding accommodation for suitable cases. The result is, that twenty-seven boys and two girls have been provided with accommodation in certified reformatories on the recommendation of the Union.

The committee have also been the means of obtaining admission for eleven boys and fifteen girls into various uncertified reformatories, refuges, &c., making a total of *fifty-five* children rescued from crime and destitution during the year, through the agency of the Union.

II. The question as to the disposal of those who have been trained in our institutions is an important one, and increasingly demands attention, especially of the managers of the certified reformatories, as they begin to find the terms for which their inmates are sentenced to detention expire in quick succession. To allow them to return to their homes would be, in most cases, to undo the good which has been accomplished: they must either be provided with situations where they will be surrounded as much as possible with influences for good, or be sent to the colonies. In the localities of some schools reformatory boys are sought after as apprentices, farm servants, &c.; but it is otherwise in many places, and there is little doubt that for some time to come emigration will be the chief outlet. The committee of the Union have paid considerable attention to this subject, and especially with reference to an agency for the reception and supervision of those sent out to Canada. They believe it would be unwise to establish there any RECOGNISED PUBLIC AGENCY; what is wanted is the interest of as many persons as possible in the different ports and towns of Canada, who would report from time to time the openings in their different localities, receive those sent from England, and assist them in obtaining proper situations and employment. The committee have the names of a few persons who are ready to render such assistance; and they are in communication with the Bishop of Quebec and others likely to be of use in this matter.

Some months ago a special appeal was made for funds to enable the committee to assist in the emigration and apprenticeship of the best-behaved inmates of the different institutions, their strict rule being that none should be recommended for employment who are not considered trustworthy; and that none should be assisted to emigrate who would not be eligible for some employment. As the result of this appeal, a small fund has been received, and a gentleman well known as a friend to emigration has kindly offered to aid the committee in providing passages for a limited number of such as may properly be recommended for emigration. Nothing, however, can be done in this matter till the opening of the Canadian navigation, in the spring of 1859.

Through the assistance of a member of the committee, eight boys, selected from three of the London refuges, were sent to Canada in the month of April.

III. Early in the year the attention of the committee was directed to the subject now known as 'the Great Social Evil.' A deputation was appointed to confer with the promoters of the movement in the metropolis, and to offer all the assistance and co-operation that could be afforded by the Union. Two meetings were held of the London clergy, and others interested in the subject, and it was generally thought that such an agency as the Union might be most useful as a centre of information on the subject, and a medium through which assistance might be more generally obtained for the different institutions that receive fallen women. It appeared that information was much needed as to the number and character of these institutions, and it was suggested that the Union should prepare an account of them, similar to the account already published on the reformatories, &c. This the committee at once undertook, and at considerable pains the 'Handbook of Penitentiaries and Homes for Females' has been prepared. The third edition is now presented, containing accounts of fifty institutions — eighteen in the metropolis, and thirty-two in the provinces.

It was also resolved to open a 'special fund' for assisting such institutions, and aiding the reformation of fallen women; and a sub-committee was appointed to carry out any plans that might be deemed practicable. Among these, the employment of female missionaries has been adopted, and with much success. Two women have been occupied during the past six months in seeking out those who may be desirous to abandon their evil course. By this means fifty-two fallen and unfallen women and girls have been rescued and placed in institutions. As the fund at the disposal of the committee for this object is but small, it has only been in their power to make grants for some of the cases admitted on their recommendation. They would gladly disburse any funds that might be entrusted to them for the special assistance of penitentiaries now languishing for want of pecuniary help, and to aid the establishment of new institutions.

IV. In the early part of the year the managers of the uncertified refuges, &c., were surprised by the receipt of a communication from the Privy Council Office, to the effect that their lordships of the Privy Council Committee had determined to rescind the minute of June, 1856, under which assistance had hitherto been given to such institutions, and to substitute a new minute, dated 31st December, 1857. Under this minute very small assistance is offered to voluntary institutions not certified under the Industrial Schools' Act; and by certification it was found the voluntary character of the refuges would be in a great measure destroyed, and their usefulness proportionably lessened. Several meetings of the managers of institutions affected by the minute were held at the office of the Union, and it was resolved that a deputation should wait upon the Vice-President of the Committee of Council, to represent the objections to the new minute, and suggest sundry alterations. About forty deputies from the different schools had an interview with Mr. Adderley on the 14th of May. The points which were urged on that occasion, and

the subsequent correspondence on the subject between the Union and the Committee of Council, are now printed. It need only be stated here that the Privy Council Committee hold out no hope of a change being made in the new system, which the Committee of the Union cannot but regard as a heavy blow to the reformatory movement, and particularly to that branch of it which aims more especially at the prevention of crime.

V. Ever since the commencement of the Union, the establishment of a Ship Reformatory in the Thames has been contemplated; it has been frequently talked over in Committee, and was again urged on their attention last March by one of their number, the Rev. Sydney Turner. A favourable opinion of the project having been expressed by many of the managers and friends of reformatories, it was resolved that an institution should be established in the Thames, to be called the 'SCHOOL-SHIP,' that it should be certified under the Youthful Offenders Act, for the double reason that there would otherwise be great difficulty in retaining the inmates and providing an adequate income, and because the Marine Society occupy the ground of an uncertified school-ship.

The Lords of the Admiralty were applied to for a ship, and at once most generously responded to the application by granting for the purpose the 'Cornwall,' a 50-gun frigate, and promising very considerable assistance in fitting and rigging the vessel.

A very influential General Committee of the School-Ship Society has been formed, and a portion of the sum required for fittings, &c. (2000*l.*), has been already subscribed.

It is expected that by next spring this institution will be in working order. It is intended for the reception and training, as sailors, of such boys of the vagrant and criminal class as are fitted, by their love of danger and adventure, and by their more active and unmanageable tempers, for the risks and hardships of a seaman's life. They will be received chiefly from London and the South of England; but suitable cases will also be received, under certain regulations, from other reformatories, refuges, &c., throughout the kingdom. H.R.H. the Prince Consort, as Master of the Trinity House, has kindly consented to become the Patron of the Institution.

Such are the main features of the proceedings of the Union. There are many other subjects of less prominence, but of no small importance, which have occupied much attention: to some of these I will briefly refer.

1. The examination and training of masters, matrons, and assistants, is of great consequence, as everything may be said to depend upon these officers, and the spirit in which they do their work. Registers are kept of such as are duly qualified for various posts; and many institutions have been supplied with suitable officers whom they had sought for elsewhere in vain. Social meetings of the masters and matrons are occasionally held, to afford them opportunities of exchanging information and experience.

2. On the 18th of June a *conversazione* was held at St. James's

Hall, for the purpose of making known the objects and operations of the Union. On that occasion specimens of the industrial work of many institutions were exhibited, and proved an excellent advertisement for such articles. Specimens are now kept at the office of the Union, and orders are received to a very considerable amount in the course of the year.

3. An institution has been opened at Hampstead, near London, in connexion with the Union, called the 'Girls' Laundry;' it is intended for the reception of girls of fifteen and upwards, in order to afford them protection and employment, and to train them for future service. A grant of money has been made to this institution, as well as to the School-Ship Society, the N. W. London Preventive and Reformatory Institution, and to several others.

4. In some instances libraries have been granted; and the inmates of several London Refuges have been entertained with interesting and instructive lectures on various subjects.

5. Boys sent by railway to join her Majesty's navy, and for other purposes, have, on several occasions, been conducted through London. Others have been met at the railway stations and conveyed to the institutions for which they were sent.

6. In the case of children absconding from one institution, for the purpose of obtaining admission into another, particulars are sent in forms prepared for the purpose to the institutions to which the runaway is likely to apply.

In conclusion, the committee trust they have been instrumental in doing much towards the reformation of criminals and the prevention of crime. They propose, God willing, to continue their work in the same spirit in which all their past labours have been conducted; their fundamental principle being the inculcation of the fear of God and the knowledge of the Holy Scriptures, as the foundation of all reformation, education, and moral training.

Adult Reformatories. By T. Barwick Ll. Baker.

I imagine that it will be generally allowed that the time for simple retributive justice—that is, for considering that a man is to expiate his offence by suffering a proportionate amount of punishment—is past, with the days of mammoths. I think it will be allowed that our object now is not to spite a man for what he has done, but to prevent him and others from doing the like again. This includes the two principles—deterrence or prevention, and reformation.

I place first the deterrence or prevention, because I consider it as applying to by far the largest number, and therefore to be of more importance. Reformation appeals to thousands who have been detected in crime. Prevention, to the millions who have not. I am no opponent of the deterrent system. I believe that if it be shown that a punishment inflicted on a criminal will, by its severity, prevent

thers from crime, it is justified to any degree in which the resent evil of the severity is balanced by the benefit of prevention.

But we must remember that punishing a man by no means implies loing him or wishing him harm; and a punishment may be highly leterrent, and yet in the end beneficial. Our object should be, then, he greatest possible deterrence with the least ultimate harm to the ffender, or, if we can manage it, even the greatest good we can give o the offender without the loss of the deterrence.

To find, then, the best means of punishing we must consider not hat will do most harm, nor even what would be most distasteful o ourselves, but what will be most distasteful for the present, and et least prejudicial to the future of the criminal. I confess I am nclined to believe in this, as in most other cases, that the simpler nd the more natural you can render your punishments, the better nd the more efficacious they will be.

Now, much as has been said of the efficacy of hanging, transportaion, treadmills, and separate prisons, I am inclined to believe that ew punishments are more deterrent than the feeling (if they are nade to feel it and not allowed to shirk it) that the public is against hem—that they are cut off for a time from the innocent—that they re known for what they are, and that they must begin and lay the oundations of a new character, not in the ignorance, but in the knowedge, of the world. I believe that if you allow a man, after he has ad his quantum of artificial punishment—viz., gaol—to begin the orld anew with an apparently unblemished character, to show a bold ront to the world while he bears within him the knowledge that his ssumed innocence is false, and that he is liable to detection at any noment, you sanction his evading a just and natural and most leterring punishment, while you give him one more artificial, more leleterious, far more costly, and yet less deterring to others.

But hitherto we have spoken only of deterrence. We must not orget that we have another duty—namely, that great principle of hristianity, the giving to every man within our reach not only an pportunity but every aid we can afford to repentance. This we now tyle the reformatory portion of our work. Thank God, that we now neet with few who do not look with hope and belief to the possible eformation of the guilty. The question is only what steps can be aken to aid it.

Many with great kindness of feeling advise that the moment a man as *expiated his offence in prison* all his evil deeds should be utterly orgotten or unknown, and that he should have a chance to begin a ew career in a new country with an untarnished reputation. In ther words, that you should sanction and aid his fraud, in saying that e has a good character when he has not, and leave him in possession f the fruits, with the hope that the truth may not be found out. I ear that much as I respect their good intentions, I cannot approve neir arguments. I fear that a system which depends on the hope nat the truth may not be found out must have some rotten expeiency at its core: a truly sound system would need no such hope.

Therefore, on reformatory, still more than on deterrent grounds, I would advocate that a repentant criminal should build his future character more slowly, but on a secure foundation, so that in time when he has proved his reformation to be lasting, should some former acquaintance meet him and remind him of the past—instead of cringing guilty to him and saying—'Pray don't tell the truth, or I am ruined;' he may say—'I know it. I have sinned; I have expiated my offences, not by months of compulsory imprisonment, but by years of steady honesty; and it is not in the power of yourself or any other to ruin me by revealing the truth I have never concealed.' Surely, if the difficult task of gaining a character openly be—as I doubt not—more deterrent than prison, the honesty of the character, the freedom from deceit, and the security when gained, would be more reformatory.

But, if desirable, is such a system—first, just; secondly, possible? The two objections are made—first, that the punishment in prison is sufficient, and that that of a known bad character afterwards would be excessive. This argument seems to me very weak—first, because it is partial, as many criminals do and must return to their own homes, and slowly and painfully regain a character; and those who refuse to do so are the least worthy portion; and secondly, because it would be easy, cheap, and every way desirable, if the total amount of the punishment be deemed excessive, to lessen it by shortening to any requisite amount, not the simple and natural penalty of the forfeiture for a time of a good name, but the artificial and costly, though by no means unnecessary, penalty of imprisonment.

The second argument against it is its impossibility. We are told the public wont employ them unless it is blindfolded, and the men themselves are so proud and haughty that they cannot bear——what? Not their own knowledge of the fact that they have sinned, but that others should know the truth of them.

For the first, I confess to a great faith in the good sense of the English public, if you will show them a truth, and not try to hoodwink them; for the second, I think that if men are not honest enough to face the truth, and are not humble enough to expiate their offences in the only way they can do it—namely, by a long course of voluntary honesty, their reformation is somewhat shaky.

But can we expect the public to take criminals at once from a prison, when it is on all hands allowed that a good prison character is no proof of honesty, to be trusted at large? I think not. Unless we can procure a stage which shall gradually give more liberty, more opportunity for them to show their real character, whether good or bad, we cannot give the public good grounds for believing that they are worthy to be trusted even in the slightest degree, and under the watch and surveillance with which we propose they should be again received; and for this purpose, and to give to all a hope and an opportunity that if they choose to strive for it, they may rebuild an honest character on a secure foundation, it is that we need adult reformatories. I must, however, here guard myself, if I can, from

misconception. I am no believer in reformatories in the light which some consider them—namely, as a sort of moral mill, into which whoever is put is, by a specified number of turns of the wheel, ground out an honest man. I only consider them as places where a man, if he wish to do well, may have opportunity and aid; where, at any rate, his character is likely to become better known than in close confinement, and where he may become by degrees more fitted to withstand the temptations which a sudden change from perfect seclusion and almost irresponsibility to perfect freedom is likely to bring, and, still more, by giving him a more trustworthy character, to be more likely to find him employment; and by continuing a watch upon him, and a friendly communication with him after he has left it, to aid, strengthen, and encourage him in his good course.

But I still meet with many who firmly believe in the possibility of managing a boys' reformatory, but who say, with an air of great authority, that one for adults would be impossible. I beg to answer that, if I can show out of 100 attempts a single one that succeeds, I disprove the impossibility. But in this case I can point to four cases in which adult reformatories *have succeeded*, and (which is rather an unusual proof of possibility) that I have never heard of any one case in which an adult reformatory has been tried and has not succeeded beyond all reasonable hopes of its founders. I believe that this meeting contains a large number of men who are more likely than most in England to know whether such failures have occurred; and I should like to know, publicly, how many instances they have known of an adult reformatory having been attempted and failed.

If it be found on close examination that all, or even most of them, succeed in their main object, surely we may venture to ask the attention of Government to the subject.

But the attention of Government usually implies two things, which Government are rightly very cautious in granting, and which I confess I for one have a great objection to asking, if we can do without them—namely, new laws and fresh money. I hold that every addition to our laws is in itself an evil, though it may be more than balanced by the good it may create; and doubtless every fresh demand on the public purse, even if it give good hope of an eventual saving, is a certain and present evil.

How peculiarly fortunate, then, is our present position, that our request to Government neither requires an Act of Parliament nor one shilling more money; nay, that in each case in which it is applied, it will cost actually less than the present system.

Many of those present probably well know the commencement of Government connexion with our reformatory schools. It was under an Act of 1st and 2nd Vict., chap. lxxxii. sect. 11, which declared that 'after the passing of this Act, in case any young offender sentenced to imprisonment shall be pardoned by Her Majesty upon such condition aforesaid (namely, that of placing him or herself under the care of some charitable institution approved by the Secretary of State and abiding by the rules thereof), and shall accept such conditional pardon,

and shall afterwards abscond or refuse to abide by the rules, it may be lawful for any justice, by warrant, to commit the party so offending to any gaol for any period not exceeding three months for the first, or six months for a subsequent offence.'

Now the term 'young offender' herein used is nowhere limited to any particular age. The usual practice of the Home-office, of late years, has been to limit it to under 16; but I am greatly misinformed if, both at Parkhurst and at Red-hill, conditional pardons under this Act have not been frequently granted to those above 16; while, in a list of similar pardons granted to another institution, I find, out of twelve pardons in three years, 1853, 1854, and 1856, that one was for a girl of 19, one for one of 18, one for 17, and two for 16. I have taken the opinion of several counsel on the subject (particularly, I may mention, one whose soundness and accuracy, I believe, is as little doubted as that of any man—I mean Mr. Rolt, the well-known Chancery barrister), and all have assured me, without hesitation (after looking into the Act carefully, to see that no limit was elsewhere mentioned) that the term 'young offender' was fairly capable of application to all under 21. If this be so, it requires, as I said, no new law until at least we have proved by our action on those under 21, that we may be trusted with those who are older.

If, indeed, the authorities of the Home-office still continue to hold that no person past 16 is young, it may be necessary to bring in a very short bill to declare that the Act applies to all under 21.

The rough draft of such a bill, corrected by Mr. Rolt, is at hand, for the consideration of any here who might be disposed to aid its progress, if necessary. The proposed bill would certainly give some few advantages not presented by the 1st & 2nd Vict.; but so great is my own dislike to unnecessary legislation, that I should prefer proceeding under an old and long-tried Act, until we can show good cause for an extension to an age to which the term 'young' will not apply so unmistakeably as to a youth of 20.

The proposed Act—if it be necessary to press it—is as carefully as possible identical with that of the 1st & 2nd Vict., with the exception of declaring that a person under 21 is young, and with a provision in the last section that an offender absconding may be re-committed to prison for the remainder of his sentence, with the addition of any period not exceeding that which he has spent under conditional pardon in the reformatory. The last is added in order that, if a man exchanges his prison for the less irksome reformatory for a time, and then behaves ill, he may not thereby evade his original amount of punishment.

It certainly appears to me that no new law, however, is requisite, and the consent of the authorities of the Home-office is the only thing we require to enable us immediately to put our present and many new institutions under the Act. But you will say nothing in the 1st & 2nd Vict. alludes to the important article of money. It is true not a word was said of it; but inasmuch as Parliament did vote, in 1854, a sum of money to support boys sent to institutions

under this Act—as such money was received by me for many conditionally pardoned before the 17th & 18th Vict. came into operation, and as until very lately the whole of the boys sent to the large establishment at Red-hill have been so supported, I think I am justified in supposing that they have all requisite power.

But I said that no fresh funds would be required; and truly so, if, as I believe, the public care very little whether they pay through one office or another, as long as the sum be lessened. Now, on the total of England and Wales, the average cost per prisoner per annum amounts to 23*l.* 10*s.* 3*d.* If a much smaller sum were allowed to the reformatory, I believe that the latter would be well content, as men do not eat more, and can work much more, than boys.

If, then, I have succeeded in showing—first, that adult reformatories are desirable; secondly, that they are possible of management; and, thirdly, that they may be brought under both the aid and the supervision of Government, without any new law, new principle, or new money—nay, that their course is simply marked out by the quiet, steady progress hitherto made by the boys' reformatories; while for the rest, being only in lieu of, let us say, the latter half of a far more expensive imprisonment, will, from its very commencement, be an actual saving to the country, I think I have shown sufficient grounds for asking your endeavours to obtain the simple consent of the Secretary of State for its adoption.

The 'Akbar Frigate,' Liverpool. By Commander Fenwick, R.N

The frigate 'Akbar' was certified as a reformatory in July, 1856, and being the first and only floating institution of that kind, is a great experiment, and must be an object of interest to all those who take part in the great national effort to improve our criminal population.

The discipline pursued on board is much similar to that of a well-ordered ship of war; the antecedents of the inmates being as much as possible ignored in their training and instruction, as it is considered they have, or ought to have, received in gaol the punishment due to their offences, and are sent to a reformatory solely for the purpose of being reclaimed and fitted for a useful position in life. It is, however, thought that if the time in gaol were made more of a punishment to the boys in proportion to their offences, it would much tend to facilitate their treatment in the reformatory to which they are subsequently transferred, as at present the burglar and the mere vagrant receiving the same sentence of imprisonment are often heard contrasting the lazy life and comforts of the gaol with the regular work and more strict discipline of the reformatory.

The boys are divided into two divisions, the starboard and port watches; these again into five subdivisions, each of which has a first and second captain over it, selected from the most efficient and well-conducted lads. These receive a small weekly pay, and are respon-

sible to a certain extent for the conduct and work of the boys under their charge.

The instruction of the boys consists chiefly of those branches of education more peculiarly suitable to a seaman's profession, besides such as would be useful in any other, each being taught to make, mend, and wash his own clothes, and, as far as is practicable, to prepare and cook his food. Reading, writing, arithmetic, and geography, are taught in the school, to which half of the boys are regularly and daily sent; the other half being in the meantime employed in the work of the ship, and learning the various duties of a sailor. Music and singing are cultivated as much as possible, and have much tended to eradicate the low and vulgar propensities of these lads, and to elevate their tastes and ideas. The principles of Christianity are endeavoured to be nourished and increased in the boys, not so much by a compulsory reading and learning the Bible, as by making it the standard to which their hourly actions and conduct are referred. Prayers are offered up morning and evening by the assembled crew, and divine service performed regularly on the Sunday, according to the Liturgy of the Established Church, by a clergyman temporarily appointed, but which duty will be hereafter performed by a chaplain resident on board and specially ordained to the office, whose duty it will be to assist in the work, superintend the school, and conduct the voluminous and increasing correspondence. Faults of all kinds are promptly and firmly checked; the punishment being always awarded, more with reference to the disposition and education of the boy than to the circumstances and magnitude of the offence. Rewards for good conduct are seldom given, as it is considered that, when the boys are discharged and these inducements to good behaviour removed, the tendency to relapse into mischief will be greater. The chief incentive to good conduct is a large tablet, on which the names of the best and most trustworthy boys are inscribed. This being considered a great honour, has acted as a powerful stimulus.

Sufficient time has not elapsed to test with certainty the effects thus produced upon their subsequent life, though the subjoined statement of those discharged is by no means discouraging; and it is certain that such a system is admirably calculated for the present management of the class of boys in question. This is proved by their happy and cheerful appearance, by the few attempts at desertion (only one having occurred in the last twelvemonth), and chiefly by the high tone of morality which pervades the whole ship. This satisfactory state has, under God's blessing, been attained by the sacrifice of what is too frequently the main object, the attempt to make the institution self-supporting, and by the maintenance of an efficient staff; the necessity for which, incurring great expense, points to the expediency of having a few large reformatories instead of many small ones, as then the salaries would not form so heavy a cost per head.

Since the commencement 226 boys have been received into the 'Akbar,' 149 of whom are still on board, one has died, two have absconded, eight have been sent to other reformatories, and the rest

discharged into various services, but chiefly into the mercantile marine. But few have been of late draughted into the last named, owing, it is supposed, to the 'bad times,' and the dulness of the shipping interests. Of the sixty-six boys discharged, twenty-seven have behaved well, and are highly spoken of; four fairly, or in a doubtful manner; six badly (one having been again imprisoned for theft); and thirty-one have not yet been heard of.

The most serious difficulty with which we have to contend, arises from the circumstance of boys being discharged into ships belonging to the towns where they have resided, and where on their return they are surrounded by their evil companions and associations; and too often by the most pernicious of all influences, the example of their own parents. These, combined with the hardships of the previous voyage, and the cruel usage and insulting taunts which during that time they too often experience from the (so-called) honest underlings, form a temptation to relapse, against which it is, indeed, hard to struggle. Much therefore remains to be done relative to the care and supervision to be maintained over them subsequent to their discharge, which part of the work belongs, not so much to the managers of the reformatory as to the owners and captains of the ships to which they belong, whom it behoves by every plea of charity as well as economy, self-interest and protection, to watch over and guard these lads placed under their charge, from circumstances which may lead to the temptation above mentioned, and to exhibit such an interest in their welfare as will help them to strive against it. If this be not done, the half-rescued brand will again fall into the furnace, and the reformatory, instead of doing its work, will only have sharpened talent and ingenuity for mischief; and the last state of the criminal will be worse than the first.

On a Substitute for Money and Food Rewards in Reformatory Schools. By G. H. Bengough.

I propose to offer a few observations and suggestions on the subject of a substitute for a system of money rewards, or rewards by indulgence in food, in reformatory schools.

The first principle on which I hold such rewards to be objectionable, is one in which perhaps all will not agree with me—*i.e.*, that a reformatory school should present the minimum of physical or material advantages and indulgences, consistent with its reformatory action. I should myself be inclined to maintain this as a general principle, involved in the very nature of such a school, even without the additional reason, which I think conclusive, that there is still a real danger of rendering them, without such care, places desired by some, if not many, children outside. On this ground, I should be glad to see the *food*, particularly, of the inmates kept to as low a rate, and especially as plain and even dry a quality as will be consistent with a

good state of health; a rate which is very much exceeded, I believe, in every English school of which I have yet heard. But there are other objections in my mind against the food or money rewards—for instance, that of expense—as even a penny a-week, in a school of forty or fifty boys, would amount very nearly to the cost of keeping one additional boy at the school for a year. Again, experience, I think, will bear me out in saying that money rewards, if given to the boys at the school, are open to abuse and are a source of temptation in several ways, while, if laid by for them until they leave, there is the objection of an *unnecessary* material advantage, and one unattainable by the honest lad elsewhere, accruing to these as the result of their detention at the school. So, too, if the value be given them in goods, they will be allowed luxuries, which, let it be remembered, they do not earn (they scarcely earn a bare living), and which at their age, elsewhere, they could never hope to attain. The *legal* power of control, which we now possess over our scholars, renders unnecessary, in one aspect at least, the sort of indulgences which, when we had to tempt them to stay with us, was perhaps required. We are not now at all called on to make our schools attractive as residences. The sole object of our efforts, and, under God, the means of our success, must be to act on the moral nature of the boys, and on their habits as regards industry and self-control. And I do not see any real ground that we have to fear that any hardness of life at these schools should try unduly, and render too difficult, their forcibly-commenced entrance on a life of reformation. This hardness they will soon learn to disregard; as soon in its full extent as they would in the modified degree in which they have to endure it at present. And the *habit* of disregarding it is one, the acquisition of which will serve them in good stead all their lives long; besides fitting them to take, without feeling the change, any situation which they may in time obtain. I have little doubt myself that they *would* form the habit, though it may be objected that *compulsory* abstinence from indulgence never, or rarely, succeeded in permanently repressing or preventing the reaction towards it, when the repressing force was withdrawn. But I will not stay to argue the point now, as I have yet one more to notice in regard to money and food rewards—*i.e.*, that they are supposed to teach the children the right use of money. In some few cases I believe the money is wisely laid by, or prudently spent on some object of permanent utility, thus exhibiting self-control. From what I have seen, however, I have been led to look upon this as a proof of a habit already acquired, and of a sort of character certainly of some value, but the result of a moral state which it had, if at all, very scantily contributed to form. With regard to some of the other indulgences, which might be procurable for money rewards, I shall have to propose some of them as parts of another system, which I now venture to suggest as preferable to the one to which I have thus objected.

The rewards which I would propose are intended to be of a mental and moral instead of a physical character, and would consist of a considerably graduated scale, with a division into three or more classes;

privileges accumulating in each class. The highest attainable distinction would be that of becoming a monitor—a distinction which should be based on considerations of age, length of residence in the school, and intellectual proficiency, as well as the more important ones of undeviating good conduct and *powers of self-control;* without the latter, to raise a boy to the position of command over others, would be detrimental to both parties alike. The monitors would differ from the 'frères ainés' of Mettray in being appointed by the authorities of the school, instead of chosen by the boys, as, with the utmost deference to the almost perfect system of that school, I doubt the expediency of allowing boys any voice in their own government, as is done in a measure by their choice of the 'frères ainés.'

For the members of this class I would suggest the following privileges and advantages, to many of which I know very considerable importance is attached by boys. They might, for one, be allowed to remain up after others had gone to bed for a certain time; they might, in some cases where facilities for this existed, be admitted to the library during some portion of the hours of school, and be permitted to prepare tasks there for other portions. They might, at a trifling cost, be furnished with separate cubicles in the dormitory, with means of writing, &c., which others did not enjoy. They might sit at meals, either at a high table or at the ends of the ordinary table, with some distinction, as of a cloth, a drinking-glass, similar things which can readily occur to the mind, and perhaps in their case with some slight luxury in the way of addition to their food (those who have been in 'Commoners,' at Winchester, will recognise the system from which, in this respect, I am drawing). They might wear a distinctive cap or jacket. To the monitors should belong also all offices of trust and preference,—the post or errand boy, the porter, the master's boy, and so forth; they might be permitted to walk out by themselves, and their names should of course stand first in the list of those eligible for any situation that might come into the disposal of the directors of the school. I must now, however, trace out the principle on which these privileges should be conferred, and the system of marks, and the number of privileges, which each class below that of the monitors (who should not be more than ten per cent. of the school) should enjoy. Marks should be given for work for school, for general conduct, and perhaps, separately, for conduct in the dormitories. A *rigid* system of negative marks is the one which I prefer, and if carefully carried out, and with sufficient time for probation, it will not burthen our higher classes, or make them too readily accessible. The first class might consist of those who had not received a bad mark for three months; out of these, ten per cent. on the school to be chosen as monitors, at the discretion of the directors; only those being eligible, however, who were a certain age and of certain intellectual proficiency, and who showed a character fit to be entrusted with a certain control over others. I should not advise their being entrusted, in any case, as in public schools, with the power of punishment.

To the members of this first class might be allowed, according to

their standing in it, precedence, under certain conditions, in the choice of which of the day's employments they would be put to. They might be marked with a badge on their usual cap or jacket; they might be permitted to walk out *singly, with a monitor*, and, where there was a separate room for a library, might be permitted the use of it at all play-hours, or when it was not open to the other boys.

In the class next below this, the ordinary class, I suggest the application of a new principle, by attaching to every bad mark a time value, in extra work—say ten minutes—to be worked out on Saturday afternoons, when they had accumulated to the extent of half-an-hour or more. Should any boy, however, pass three months together without a bad mark, after an accumulation of less than eight, his probation should be extended two days longer than the three months—*i.e.*, one for each mark.

Below this ordinary class there might be a penal and probationary class, to which any boy should be relegated, who, in *one week* accumulated more than *one hour's* extra work—*i.e.*, more than six marks; and every mark above six incurred in the ordinary class in one week should entail a week's blameless conduct in the penal class.

Every offence should be estimated at so many bad marks—Thus, decided inattention in school, or in regard to work, neglect of personal cleanliness, and short of positive disobedience to orders, might be estimated as 1. Quarrelling or provoking language, as 2. Ordinary offences against good order in the dormitories, as 3. Profane or ribald language, as 4. Irreverence in church or at prayers, as 5. Breaking bounds, as 6. Or, if the boy should be absent for five minutes, as 7; or more, to extend to any number in proportion to the aggravation of the offence, so as to meet even absconding, which, however, might be punishable in other ways as well. Wilful resistance to authority should be treated on the same scale as absence without leave.

A monitor should be degraded to the first class for a single bad mark, and not be re-eligible for a month, even if there was a vacancy; two bad marks in a week, or three in three consecutive weeks, and so on, should degrade to the ordinary class; and each bad mark short of this rate should prevent a boy becoming a monitor, if otherwise eligible, for one month.

Bad conduct in the penal class might entail longer retention in it, at the rate of—say a fortnight for each mark, perhaps, together with extra labour, or be visited with positive punishment; but the strict character of the penal class should be such that mere retention in it would be positively disliked.

A boy on first coming should be placed in the penal (to be called also the probationary) class for a week only, if he passes that period without a bad mark.

The foundation of this system is *strictness in noticing every fault*, making faults as few as possible; but never allowing an action which is forbidden to pass unmarked. When the boys leave the school it is *that* system to which under ordinary circumstances they will be

subjected. They will not be praised and rewarded—if they do fairly, or even well—*directly for such conduct;* but they will certainly be, and should learn to bear to be, blamed or punished for *not* doing their duty fairly. The reward of good conduct, if they gain it in this life at all, will not come in the shape of reward for *particular actions*, but in gaining the confidence of their employers, and the privileges which that entails. It is with this idea that I have always upheld the superior advantage of a *negative* over a positive system of marks—the latter having, in my opinion, this further disadvantage, in the great difficulty of such a fair assessment of the nice differences in conduct as its full development demands.

On the Disposal of Girls from Reformatory Schools. By Mary Carpenter.

ANOTHER year's experience in the management of Reformatory Schools leads us anxiously to consider the perplexing problem of the disposal of our children after they leave us.

We shall have done a very doubtful service either to the young persons themselves, or to society in general, if our care of them cease when they have left our walls. Let our institution be admirably managed, let every possible advantage be given to the children, let them be well instructed in all that pertains to their present and to their eternal welfare; and yet, if they are sent forth into the world still immature, unused to guide themselves amid its dangers and temptations, there is little probability that they will stand secure as those who have been trained from infancy the way they should go; it is, indeed, most likely that they will fall, and that if they return whence they came in a renewed and refreshed spiritual and physical condition, they will run into even greater evils than they before committed, and sink into a still lower condition. So strong is the power of early association! Many appalling instances of this kind have come within my own personal knowledge. Did space permit I could unfold to you fearful narratives.

It behoves us then to give this subject full consideration. The suggestions which I would now offer are in general applicable to children of both sexes, who have fallen into crime, though I shall here particularly confine myself to girls.

We must, in the first place, if we anxiously desire to obtain the success of our work, not think it one of rapid accomplishment. A training of two years will have little effect in eradicating the evil early implanted and fostered during the whole previous life of the girl. When the venerated Wichern, of the Rauhe Haus, took children under his care, it was really to bring them up—nor was five years too long for the average time of his detention of them; he had scarcely any failure! We must not be deceived by the apparent good con-

duct of a girl. Conformity with school discipline, and avoidance of what might entail punishment, by no means proves that a child is reformed. Some of our young delinquents at once reveal in the school the wild lawlessness of their nature; but others, who are usually the very worst, can assume and maintain for a long time an appearance wholly at variance with their real disposition. This is particularly the case with girls. Profound hypocrisy is one of the most painful characteristics of some of them, especially with such as have already commenced a career of other vices, such as should prevent their admission to a reformatory. I have known some, who ought to have been sent to a penitentiary rather than to a school, preserve even for a year a most fair appearance. Some girls who have had a good school character for two years, or even more, have after this committed crimes of which it was before thought impossible that they could be guilty. We must, then, endeavour to keep our children for a long-enough time to give satisfactory assurance of their real reformation.

An arrangement should next be made, if possible, to test the sincerity and strength of character of our scholars by some gradual approach to freedom before they completely receive it; analogous to that so successfully worked out by Capt. Crofton, in the Intermediate Prisons. This will often be attended with expense and inconvenience, but every sacrifice should be made, if possible, to accomplish it. Such a plan has been successfully carried out at the Norfolk Reformatory of Catton, to which boys are draughted from Buxton, by Mr. J. Wright. A cottage adjoining the Red Lodge is adapted for this purpose, for the reception of girls before leaving the school. In both these cases the experiment has been successful. The greater freedom exhibits the girl's true character and shows whether she may be further trusted, or whether she requires still to be under the close restraint of the school.

Considerable attention should also be paid, before placing out girls, to the previous history of the child, and the position and character of the relatives. For those children who have passed their early life in the disgraceful haunts of vice which exist in Liverpool, and probably in most large cities, it is certain ruin to return to their homes —they should be placed out at a distance from them; such, indeed, I have found to be the desire of the parents of most of the young persons under my care, and of the children themselves, as soon as they are sufficiently reformed to wish to escape from crime. Indeed, it may be regarded as a safe criterion of the actual moral and spiritual condition of a young person whether he or she wishes to escape from former allurements to evil, and to begin a new and better life elsewhere. There are, however, some who have fallen into crime from temporary circumstances, and whose relatives are in a position to resume the care of them; this their natural responsibility makes their duty as well as their privilege. In such cases they may return, though a watchful eye should for a time be kept over them, which will at the same time strengthen the good resolutions, but yet untried steadiness of the child, and test the success of the plans em-

ployed. Such cases are, unhappily, very few. In the majority the care must rest with the managers of the institution to give the young persons whom they have trained that start in life which their natural guardians have failed to provide for them.

But granting that all these conditions have been attended to, another most serious difficulty and danger attends the disposal of our girls, on which I would gladly be silent, but the experience of the past year compels me to speak. The contamination to which most of these poor children have been already exposed, from either direct criminal intercourse with the other sex, or from constantly witnessing impurity of the grossest sort in their abodes, has already affected the excitable natures of many of them; and, if they have not absolutely fallen, still they have strong propensities to do so, which, unhappily, the actual condition of our large towns necessarily fosters. Notwithstanding every precaution to the contrary, girls have been introduced into the Red Lodge School, who, unknown to the parties sending them, had been already frequenters of houses of ill-fame. For some time they preserved a fair appearance and excited no suspicion; at length the evil worked; they absconded, and fell into their former vice. On apprehension, after a second offence, they were sent to Bridewell, where, unhappily, the means of entire separation did not exist; they there communicated with prostitutes, and when they returned to the school, the whole number of the inmates were tainted with the impurity which filled their hearts, and broke out in every possible way. Several absconded, knowing where they might find a retreat; for in the face of open day, do these dens of iniquity lie open to draw in the unwary. It was long before the fatal influence thus insinuated lost its power. How can we hope that a large proportion of our young inmates will escape when, in the most seemingly respectable places, there are notorious houses of ill-fame; when a young girl cannot walk in the streets without being accosted by some of those who, having given themselves up to evil courses, strive to make others as themselves. In this very town the Police Report of 1855 states no fewer than 695 brothels, besides nearly 200 other houses of ill-fame, while 2195 known prostitutes exist. Doubtless other towns are equally immoral, as recent disclosures respecting the vices of the streets painfully demonstrate. Will a Christian public still permit these things? Will our Government, which so often has shown itself the guardian of public morals, not do something to check this? And shall it still be allowed that our places of punishment shall be schools of vice, where the hardened sinner may contaminate the young, and where the poison thus infused will take double effect in the solitude which leaves the mind to prey on itself?

We must bear in mind all these dangers in the future disposal of our girls, and now proceed to consider what we shall do with them.

In the disposal of boys from reformatory schools emigration has always occupied a first place. The Rev. Sydney Turner, whose experience in the management of Red-hill entitles him to the highest

confidence, has frequently proved the value of this system; and, comparing the results in the cases of boys who have been placed out in England with those who have emigrated, has shown that a far higher proportion have done well who have been enabled to begin an entirely new life in a distant land. But this cannot be anticipated as likely to hold good in the case of girls. The impatience of control, love of enterprise, and independence of character, which are often valuable elements in a boy when well-directed, and particularly useful to one sent forth on the world alone; when existing in a girl indicate features of character which will expose her to the peculiar dangers which will beset her when deprived of protection, and of which mention has been already made. The small experience which I have already had in the emigration of criminal girls would lead me to advise that, where practicable, girls who leave reformatories should be placed under continued surveillance and good influence in England. Still cases will occur in which the entire breaking off of old associations may be so important that the risk must be run and the effort must be made to find the safest opening for the emigration of our girls. This I shall first consider.

The fluctuating and uncertain state of so new a colony as Australia does not make it a desirable opening for any but young women of confirmed good character, and who have proper protection. To send thither such girls as we have to provide for would be to expose them to certain ruin. Happily, however, there are other openings where young girls trained in the varied branches of household industry will be certain to find good openings. In New York, United States, two institutions are in active operation, whose great object is to enable young emigrants and other destitute children to find a home, and to get into service. In February, 1855, the Children's Aid Society was established under the direction of the Rev. C. H. Brace as secretary. It was organized to meet a fearful want existing in New York, chiefly caused by the enormous emigration of foreigners, above 300,000 in one year, which necessarily involved numbers of children being thrown destitute on the city. Juvenile crime prevailed to an enormous extent: in the course of one year, 1853, there were nearly 8000 arrests of minors. The condition of the young girls especially engaged the attention of the Society. It was proposed to open a number of workshops for the boys, and of industrial schools for the girls, where a short training might be given, and then to send them to various parts of the Union where labour was in demand. A communication was opened with families in various parts of the States, who would be willing to receive such children, and arrangements were made for keeping up a surveillance over them by the visits of an authorized agent. The last report of the Society gives the satisfactory information, that during the few years of its operation more than 3500 children have been placed out in good situations, and that of these 'very few, indeed, have turned out badly, or come back to a vagrant life. The great majority are doing well and gaining honour and respect, and becoming of real value to the communities where

they are.' The managers of this Society have shown a kind willingness to place out any children who may be sent to them from English Reformatories. Many boys have been sent to them from that at Kingswood, and have been placed in good situations, whence satisfactory reports have been received of them.

Another institution, with a similar object, is the Five Points' House of Industry, founded by the Rev. L. N. Pease, to whose indefatigable labours this large establishment is mainly indebted. The morally exposed children are received and trained, and families who want domestic help apply to it for servants. One of the teachers in this noble institution, on a recent visit to England, assured me that the demand for young girls there is even greater than the supply; and that care is taken in all instances that the families to which they are consigned shall be of an unexceptionable character. Mr. Pease has lately commenced another establishment in the country. The superintendents having expressed a willingness to place out some of the girls from the Red Lodge, the experiment has been lately tried of sending two under the care of an assistant-teacher, herself formerly a scholar, who desired to emigrate.

Emigration to Canada has been highly recommended by many experienced persons. Not having any personal knowledge of this I will not here discuss it, only strongly urging the necessity of procuring suitable escort for girls in all cases, and careful arrangements for time on landing.

Of all modes of disposal, domestic service within the reach of those who have led the young person to begin a new life is the most desirable, where suitable families can be found to receive them. It is evident that to surround a young girl with good influences, in a home with duties to perform, must be a more healthy atmosphere for her even than a school in which she is associated with other girls of low character. But the difficulty is to find families suitable for the girls. In the higher circles of society the mistress of a house seldom has much time for personal care of the members of her household, and a young girl introduced into it is chiefly left to the guidance of the other servants, who cannot be expected to have always the requisite qualities for carrying on the work of reformation. She is besides surrounded with too many temptations to dishonesty without always facilities for detection. It is even more dangerous to place such a girl in a very low situation, where the conduct, habits, and manners, of those around her are in direct opposition to all the lessons she has been learning. The most desirable homes for the young girls who quit our reformatories are those of respectable persons of the lower middle class, where the mother of the family exercises direct supervision over her household; herself performing part of the work and treating the girl who is her only help as part of the family. If in such cases the mistress is of a genial temper, and has infused a good spirit into her household, a young person has every inducement to do well. Several very satisfactory cases of this kind have occurred among those who have left the Red Lodge, in which their previous

instruction in house-work had made them far more useful than ordinary girls from common schools, and where they have rapidly improved. On the contrary, some girls have failed evidently from gross mismanagement on the part of the mistress, who has been unduly severe, or who has placed most unwise confidence in one so young and inexperienced. The greatest discretion is needed in placing out girls, and even with this failures must be expected. Still, it is satisfactory to know that no indisposition has been manifested to take girls as young servants from the Red Lodge by persons of the class referred to, and a sufficient opening has been found in that direction for their disposal. Everything will, of course, depend on the character which the institution gradually acquires for successful training. A watchful eye should be always kept over the girls, and, in case of good conduct, occasional visits from them to the school will be attended with mutual advantage.

Still, there will be girls whose nature and character will render them but little adapted for domestic life, and who would prefer the more independent life of a factory. We know, however, what dangers always assail such, and how unsafe it would be to expose those girls to the influences with which they would be generally surrounded, and 'where the workers (to use the words of one conversant with the system), after the hours of labour, dismissed from the premises, and dispersed without guidance or control, often become anything but creditable members of society, and the course of their lives is too frequently a training to improvidence and vice.' A plan has been proposed by Mr. William Wood, M.P. for Pontefract, which admirably meets this difficulty. It is known to many that a system of providing homes for factory-workers has for the last forty years been carried on at Lowell in New England, United States. One somewhat similar he proposes to adopt in connexion with the factory of the Yorkshire Carpet Company, recently incorporated. Organized homes under proper superintendence will be established for female factory-workers, when 'an opportunity will be offered for the maintenance and training of female orphans, the deaf and dumb, and the destitute generally, by the labours of the parties themselves, who will be taken at an early age and apprenticed to the institution.' Arrangements will also be made to obtain the aid of ladies of education, who may give their voluntary services to the continued training and education of such young persons. The bearing of such a plan on reformatories appears likely to be most valuable, and to supply a want hitherto greatly felt. Our girls might thus be gradually prepared for entire freedom, while they had the satisfaction of feeling that they were gaining their livelihood, and were in some degree independent. I trust that every encouragement will be given to Mr. Wood to carry out his plan without loss of time, for we shall find it most valuable for the reception of many of the girls who ere long will be leaving our reformatories.

But few comparatively can actually work in these schools themselves, but many can help to carry out the work when it is there

begun, by giving a Christian hand to these poor children at their entrance into the world. As much success has already been granted to our efforts as can be reasonably expected. May we receive it gratefully from the giver, and let it stimulate us all to renewed efforts.

SUMMARY OF PROCEEDINGS IN THE PUNISHMENT AND REFORMATION DEPARTMENT.

THE Earl of Carlisle presided over this department during the whole of the proceedings. The permanent Secretary, Mr. Martin Ware, was assisted by the Rev. Thomas Carter and Mr. Joseph Hubback, as local Secretaries.

In addition to the papers printed at length in this volume, the following were read at the meeting :—

'Caution considered as a preventive of Crime;' by Mr. Serjeant Woolrych.

'Crime and its Antidote;' by Owen Williams.

'Emigration as a Preventive Agency;' by Isa Craig.

'Capital Punishments;' by Thomas Baker.

'Contributions toward a New Scheme of Prison Dietary;' by Edward Smith, M.D.

'On Imprisonment;' by the Rev. D. Nihill.

'Reformatories and Ragged Schools, their comparative Economy;' by Joseph Adshead.

'A brief account of the Boys' Home (London) certified under the Industrial Schools' Act, 1857;' by George W. Bell.

'The North Lancashire Reformatory School;' by W. J. Garnett, M.P.

'The Toxteth Girls Reformatory School, Liverpool; by the Rev. J. S. Howson.

'The Comparative Merits of Large and Small Reformatories;' by the Rev. W. Fraser.

Want of space has compelled us reluctantly to forego the publication of several valuable papers, which excited much interest among those present at the meeting.

The proceedings commenced with the reading of a group of eight papers, on the general subject of 'the causes and prevention of crime.' Four of these papers, 'The Prevention of Crime,' by Mr. Hubback; 'The Criminal Population of Liverpool,' by Mr. Carter; 'The Incentives to Crime presented by Marine Store Dealers, and how to repress them,' by T. C. S. Kynnersley; 'Some Characteristics of a great Maritime Town, with especial Reference to the Criminal Tendencies of its Population,' by J. T. Danson, will be found from page 345 in this volume. Of the remaining four :—

Mr. Serjeant Woolrych, 'On Caution, considered as a preventive of Crime,' argued that the commission of crime was frequently induced by the carelessness with which property was exposed. He

insisted on the observance of greater circumspection in the display of goods by shopkeepers, and in the carrying of money, and other property, on the person, as a moral and social duty, the fulfilment of which would tend largely to the prevention of crime, by the removal of temptation and opportunity.

Mr. Owen Williams, in his paper on 'Crime and its Antidote,' strongly urged the extension of education to the lowest class of the community, and the application of an increased educational grant exclusively in that direction. He proposed a free government emigration for that class of ignorant but often hardworking young people of both sexes who earn a precarious living by numerous avocations pursued in the public streets (such as the selling of fish, sand, etc.), and who from poverty and other temptations often went to swell the ranks of the dangerous classes. He also advocated the repeal of the present revenue laws as leading extensively to crime, and that a national income be raised from rents, interest and dividends only.

Mr. F. A. Welton, in 'A Few Remarks upon Criminal Statistics,' stated as the conclusions at which he had arrived on a careful investigation of recent returns: 1. That in measuring degrees of criminality, it is proper to calculate separately the ratios of committals and of summary convictions; the first as a test of the amount of true crime, the second as indicating a tendency to disorderly habits. 2. That counties possessing very dissimilar amounts of education are found at either end of the criminal scale. 3. That education, so far as its effects can be traced, appears to exercise a beneficial influence. 4. That numerous summary convictions are in some places coincident with a moderate number of committals. 5. That density and rapidity of increase of population do not afford any very close indications of the probable amount of crime. 6. That there appears to be a great diversity in the degrees of criminality in different large towns.

Miss Craig, in a paper on 'Emigration as a Preventive Agency,' after noticing the general effects of emigration in relieving the labour market, and thereby diminishing the crime produced by the pressure of poverty and the temptations of enforced idleness, pointed out that for want of a better industrial system in our workhouses, a noble chance was lost of applying emigration to the relief of the class who stood most in need of its agency. The large number of ablebodied pauper women, of whom ten thousand passed through our workhouses in a single year, and two thousand through that of Liverpool alone, were excluded from Government aid in emigration. The colonists, though urgently in want of female domestic servants, refused to receive them, owing to their degraded character and idle habits. She advocated emigration for children in the industrial schools, who were exposed on leaving the refuges to great temptations from worthless relatives. In order to diminish the expense, which at present deterred many institutions from availing themselves of a mode of providing for their inmates, which, as far as it had been tried, had proved a most eligible one, she proposed that a depôt should be established at Liverpool, supported by a union of the industrial institutions

throughout the country, with a resident and travelling matron. Thither the children who gained the emigration prize for steadiness and honesty might be drafted, for the purpose of being forwarded to the colonies.

The discussion which ensued on the reading of these papers was chiefly of local interest in reference to the facts stated in Mr. Carter's paper. A strong opinion was expressed against the present law for the licensing and regulation of beer-houses, and in favour of a more active interference by the magistrates in putting down disorderly houses.

The next group was on the subject of discharged prisoners. It consisted of three papers—'The Origin and Progress of the Discharged Prisoners' Aid Society,' by W. B. Ranken; 'The Refuge for Discharged Prisoners in connexion with the House of Correction at Wakefield,' by R. Monckton Milnes, M.P.; and the 'Asylum for Discharged Prisoners at Leyden,' by W. N. Suringar, foreign corresponding member for Holland, which are all printed from page 368. Their reading was followed by a long and animated discussion. Mr. Elliott remarked upon the very small number of discharged prisoners who obtained work, and suggested that there were only a few who chose to work, and that these might have found it without the help of a society. He believed that discharged prisoners generally could get employment, if not where they were known, at least at a distance. A contractor for cleaning London told him he could not get men to do it. Mr. Barwick Baker, on this point, differed entirely from Mr. Elliott. Mr. Stephen Cave referred to the system in Sweden, where it was considered that a man on his discharge from prison was as unfit as a child to enter the world again, and the better the prison discipline the greater his unfitness. The State, therefore, undertakes the office of the Discharged Prisoners' Aid Society. Feeling that some intermediate state was absolutely necessary, the Swedish law consigns the prisoner on his discharge to the authorities through whom he was committed, who keep him under surveillance, and assist him in obtaining employment; during this interval he is supported by the money he receives on his discharge, and which is not, as has been stated, a premium to felony, but a reward of industry, and is considered of such importance in Sweden, that a prisoner is not discharged, even though his sentence be terminated, before he has earned a certain sum, which is about 5*l.* for men, and 3*l.* for women. Great difficulty is sometimes experienced in obtaining their employment, so much so that at times a list of their names is read from the pulpits, and the congregations exhorted to afford the applicants a chance of reformation. This enactment passed the full Diet, through the influence of the present King Oscar, who was early impressed with the necessity of aiming at the reformation of criminals.

The Rev. T. Carter, chaplain of the Borough Gaol at Liverpool, in reply to a question by the Rev. Sydney Turner as to the number of prisoners who asked his aid in obtaining work, answered that not many did so. Most of them got employment in docks where they required no character, or otherwise took their chance.

Captain Crofton thought that a prisoner who had behaved well in prison ought to have earned enough to purchase his own emigration. What was wanted was not the money, but the support and patronage of a society.

Mr. C. Ratcliff stated that in Birmingham the workmen would not allow the prisoners to return to the factories; an experience which was confirmed from other parts of the country. In Manchester there was great difficulty in getting work for them; employers would give money, but could not venture to take them into their service.

Sir Baldwin Leighton stated that in Shropshire, which was an agricultural county, ninety-five per cent. of their discharged prisoners could obtain employment. The rest were worthless characters who did not choose to work.

Mr. Bracebridge stated, in confirmation of this, that agricultural labourers did not require aid; they either got work or were supported by the rates.

The proceedings on Thursday commenced with the reading of Mr. T. Baker's paper on 'Capital Punishment,' in which he urged its abolition on the grounds of its possessing neither the influence to deter nor the power to reform, while its exhibition lowered the tone of public morality. There could be no doubt it frequently allowed the guilty to escape, for while in all other crimes the convictions averaged seventy-seven per cent. of the commitments, for murder the average during three years had been under twenty-four. In the discussion, Dr. Hamilton, lately of Peru, hoped that the punishment of death would continue to be inflicted for the crime of murder. In illustration of its deterring influence, he referred to Peru and Chili. In the former the punishment of death was not enforced, and frightful assassinations were constantly taking place. In the latter, since 1829, when the punishment was adopted, assassination had been put down, though previously occurring in the capital alone many hundred times in a single year.

Several speakers took part on both sides, but the general feeling of the department was against the abolition of punishment by death. All agreed that it ought to be conducted in a more solemn manner than at present.

Captain Crofton then read the paper printed in full at page 376. A few of the speakers objected to the system of gratuities to industrious prisoners; but this objection was combated by many others, who were of opinion that these gratuities were expedient as a means of reformation, and were as just in principle as they were wholesome in action. Captain Crofton, in answer to a question from Mr. Sydney Turner, stated that police supervision had been tried in Ireland. The principal objectors were the convicts. They had to be taught that the police were their friends. They had to look to the constable for their characters—to get their certificates from them—that their conditional pardons might be made absolute. He thought all pardons ought to be made conditional on the conduct of the convict. The prisoners often left their gratuities in the hands of their employers as

a guarantee. The employer ought to be made acquainted with the fact of a man's having been an inmate of a convict prison, but there was no need to inform his fellow-workmen. In Ireland there was at first great difficulty to obtain for them employment, but that was now wearing away; not that there was less aversion to crime among employers and workmen in that country than in England, but because the employers in almost every case found that the well recommended discharged convict sustained his 'good-conduct character.' He knew that the objection to admit discharged convicts amongst them prevailed as much with Irish as with English workmen, and the antecedents of the employed discharged convicts were therefore not made known to them, but only to the employer. He believed that the English police would act, and did act, as kindly as the Irish constabulary towards the discharged convict; and that the statements to the contrary, which were made only by convicts again taken in crime, were not to be relied on.

The Rev. D. Nihill, in a paper 'On Imprisonment,' pointed out the costliness and other evils of punishment by imprisonment, especially for petty thefts, and advocated the extension of punishment by fine and restoration of property to the injured party. As there were numerous offences to which such punishment was entirely inapplicable, imprisonment must no doubt be continued; but he considered that its cost to the public ought to be greatly reduced, if not altogether done away with, by making the convict work his way out of prison. Each of our large prisons should have its peculiar labour—tailoring, shoemaking, weaving, or whatever might be deemed suitable, and in proper situations agricultural employment, or out-door public work. That prison manufacture might not come into unfair competition with free labour, he suggested that the articles so produced should be used for the public service, as in clothing the prisoners themselves, the police, the army, and the navy. A good deal of army clothing was already made in prisons, to the great profit of contractors. If the War Office would deal directly with the prison authorities, a considerable saving to the public would accrue.

Dr. Edward Smith again brought forward the subject which he treated of in a paper read before the Birmingham meeting last year, and published in the Transactions for 1857. In a paper entitled 'Contributions towards a New Scheme of Prison Dietary,' he proved that there was no good ground for increasing the allowance of food according to the duration of punishment, provided that the quantity supplied is sufficient for the wants of the system; but he at the same time showed that the food actually supplied to persons committed for short periods was insufficient, and especially that the extra allowance to those condemned to hard labour was absurdly and cruelly defective. He then proceeded to describe the results of scientific inquiries which he has been prosecuting some years, and also the results obtained, at the gaol at Wakefield. He proved that age, sex, and size, and certain employment, are all circumstances which call for variations in the supply of food. In reference to seasons, he found that in summer,

in July, August, and September, the vital changes proceeding in the system, both in rest and exertion, are at least one-sixth less than in the preceding and succeeding months, and the variation in food should be to the same extent. The experience at Wakefield confirmed this, and showed that with the same dietary the prisoners gain weight in summer and lose it in winter, and that there is a sudden period of change in April and October.

Mr. Charles Pearson then read the paper which is printed at page 382.

Lord Brougham, in the absence of Mr. M. D. Hill, read the paper on German Prisons contributed by him, which, together with his lordship's interlocutory observation, will be found at page 390. Mr. Hanbury read the paper printed at page 398, and Mr. Joseph Adshead his paper 'On the Comparative Economy of Reformatory and Industrial Schools.' This most valuable contribution to the statistics of reformatory work has, on the representation of several leading members of the department, been published separately, in order that those practically engaged in the management of reformatories may be able the more readily to avail themselves of the detailed information which it contains.*

Mr. Adshead, among other statements, gave as follows the financial statistics of ten Reformatories. In the Red-hill Reformatory the average attendance of boys in 1857 was 277, and the net cost per head per annum 25*l.* 4*s.* 10*d.* The Glasgow Reformatory for the same year had 382 boys, at a cost of 15*l.* 8*s.* 9*d.* per head; the Home in the East Reformatory, London, 47 boys, at 21*l.* 11*s.* 6*d.* per head; Castle Howard Reformatory, near York, 35 boys, at 25*l.* 6*s.*; Hardwicke Reformatory, Gloucester, 35 boys, at 20*l.* 14*s.* 3*d.*; Hampshire Reformatory, Eling, near Southampton, 25 boys, at 27*l.* 3*s.* 1*d.*; Kingswood Reformatory School, Bristol, 47 boys, at 23*l.* 17*s.* 3*d.*; North-eastern Reformatory, Newcastle, 64 boys, at 23*l.* 6*s.* 10*d.*; the School-frigate *Akbar*, Liverpool, 95 boys, at 23*l.* 5*s.* 3*d.*; the Red Lodge Reformatory, for girls, Bristol, 56 girls at 14*l.* 5*s.* 9*d.* per head. The amount of subscriptions and donations in these different institutions varied very much, the lowest being at the rate of 18*s.* 8*d.*, and the highest 20*l.* 2*s.* 2*d.* per head; the total sum for the ten reformatories being 4080*l.* 4*s.* 2*d.*, or at the average rate of 3*l.* 16*s.* 1*d.* per head per annum for 1063 inmates. The amount of Government aid for the same time was 22,388*l.* 18*s.* 5*d.*, and of this sum the Red Hill institution was the largest recipient. Towards the income of these institutions the parents and friends voluntarily subscribed 327*l.* 10*s.* 1*d.*, and the parents, by compulsion, paid 79*l.* 9*s.* 6*d.*, making a total of 406*l.* 19*s.* 7*d.*, or only 7*s.* 7*d.* per annum for each inmate, less than 2*d.* per week. The lowest amount for provisions was paid in Glasgow, 5*l.* 5*s.* 11*d.* per head per annum, and the highest at Red Hill, 12*l.* 1*s.* 3*d.* The profits from labour ranged also from 2*s.* 11*d.* per head at Kingswood, to 2*l.* 0*s.* 7*d.* at Hardwicke.

With regard to Ragged and Industrial Schools,—also, ten institu-

* The Paper may be obtained in pamphlet form at the Office of the Association

tions were selected. In 1857 the cost per head per annum is shown to be, in Liverpool, 7*l.* 7*s.* 6*d.*; Manchester, 6*l.* 17*s.* 2*d.*; Salford, 5*l.* 13*s.* 9*d.*; York, 3*l.* 17*s.* 1*d.*;* Edinburgh Original Ragged School, 7*l.* 2*s.* 10*d.*; Edinburgh United and Industrial School, 6*l.* 17*s.* 9*d.*; Glasgow, 7*l.* 17*s.* 10*d.*; Paisley, 11*l.* 14*s.* 7*d.*; Aberdeen, 7*l.* 10*s.* 5*d.*; Dundee, 7*l.* 4*s.* 3*d.* These ten schools contained 1167 children. The total of subscriptions and donations amounted to 5271*l.* 10*s.* 5*d.* The amount received from Government was 486*l.* 7*s.* 6*d.*; from the Privy Council on Education, 1865*l.* 19*s.*, being together at the rate of 2*l.* 14*s.* 7*d.* per head.† Parents and guardians contributed only 186*l.* 15*s.* 5*d.*, or at the rate of 3*s.* 2*d.* per head per annum—less than 1*d.* per week. In the Liverpool Industrial School the sum of 493*l.* 15*s.* 6*d.* was raised by subscriptions and donations. Altogether, for the twenty institutions mentioned in this paper, the munificent sum of 9351*l.* 14*s.* 7*d.* was derived from voluntary contributions. The sum paid for salaries in the ten reformatories was equivalent to 4*l.* 6*s.* 1*d.* per head, and in the Ragged Schools the same item of expenditure was 2*l.* 6*s.* 11*d.* The lowest amount shown as expenditure for provisions at the ten Ragged Schools was 1*l.* 13*s* 10*d.*, the highest 5*l.* 5*s.* 3*d.* The average annual cost per head for 1165 children was 3*l.* 3*s.* 8*d.* or 1*s.* 3*d.* per week. The profits from labour ranged from 5*d.* a head in Edinburgh, to 1*l.* 4*s.* 3*d.* in the Dundee Industrial School. For the ten schools the entire amount of industrial profit is 638*l.* 2*s.* 2*d.*, or at the rate of 10*s.* 11*d.* per head.

At the opening of the proceedings on Friday, Mr. G. W. Bell gave 'A Brief Account of the Boys' Home, Euston Road, London, certified under the Industrial Schools' Act, 1857.' The chief feature of the institution is the number of its voluntary cases; its reception of orphan and friendless lads, whom it provides with a home while they are engaged in outdoor labour, and whose wages contribute to, and in some instances entirely defray, the cost of their support. With respect to the enforced contributions of the parents in reformatory cases, Mr. Bell considered that no surer plan could be devised to render the provision inoperative than to throw the responsibility upon the managers of industrial schools, and thus to place them in direct antagonism to the parents of the children under their care.

Mr. W. J. Garnett, M.P., gave an account of the founding of the North Lancashire Reformatory School, opened on the 4th of November, 1857, with accommodation for 50 boys. The inmates are to be chiefly employed in the cultivation of land adjoining the school, and in the work of the house. The principles on which it is established are those of the reformatory movement in general, religion and hard work. The details by which these principles are to be carried out are, first, a general severe simplicity of life; secondly, devotional exercises, united and separate; thirdly, the avoidance of anything artificial or complicated, either in the internal arrangements of the house, or in the system of rewards and punishments, as hot water pipes in the first case, and

* Partial feeding. † For 861 children.

cards of distinction in the second; so that with regard to the first everything might approximate to the condition of a well-regulated workman's family, and the latter to ordinary reward of good conduct in life. A good mark for industry meaning so much money, a mark for good conduct meaning some positive privilege or advantage. With regard to the disposal of the boys on their discharge, he thought emigration to the colonies might perhaps prove the safest outlet. The only objection was the expense, and this difficulty might be met by the establishment of an Emigration Fund, to be administered by individuals carefully selected in the different outports of the kingdom, with corresponding agents in the colonies. The money to be advanced by way of loan, and a certain portion of each boy's wages handed over by his employer to the agents, till the whole or greater part of the debt should be liquidated.

In the discussion Mr. Adshead said that the school at Manchester had been enlarged at an expense of 2000*l.*, in order to certify, but the difficulties of the Act prevented it. Mr. Stephen Cave remarked upon the class of boys sent to reformatories. Magistrates often went upon a wrong principle; they sent the most innocent. Now, as the object was to a great extent the safety of society, public money should only be spent on those who were dangerous to society. He had lately visited several country reformatories, in one of which he saw two boys who were, the superintendent informed him, simple country lads convicted of slight offences, who had, he thought, actually received harm from the worse characters around them since they had been in the reformatory. Another case was that of the son of a gamekeeper, of whom it was said that his general character was so good that he had raised the tone of the place. A short time after he saw in the paper that three boys had been brought before a London magistrate for stealing something exposed from the shop-door. The magistrate, after saying that the shopkeeper was most to blame, committed the two elder boys to a short imprisonment, and the youngest, a mere child, to four years' confinement in a reformatory. Now it seemed to him that though this may have been an advantage to the lad himself, we had no right to give him this advantage at so heavy an expense, and that the safety of the State and his own correction would have been served by a short imprisonment.

In answer to a question from the President, Mr. Sydney Turner expressed an opinion that it would be desirable to establish a separate reformatory for incorrigible offenders.

A paper on the 'Akbar Frigate' was read by Commander Fenwick, R.N., who said in reply to a question, that the length of detention on board the 'Akbar' varied from eighteen months to two years. He thought that the knowledge that they were sentenced for a long period made the boys behave better. This paper will be found at page 407.

Mr. Howson gave an account of the origin and progress of the Toxteth Reformatory School for girls, which was calculated to accommodate about thirty inmates. After stating the satisfactory condition and working of the school, he proceeded to advocate the advantages of

small over large reformatories, on the grounds of the greater facilities which the former presented for the carrying out of the family system, and for personal contact with the superintendents. He considered them peculiarly fitted for girls, whom it was not requisite to train like boys for a rude battling life; vagrant girls required domestication to restore the feminine character, as well as to fit them for domestic service, which was their chief destination.

Mr. Campbell considered that reformatories encouraged the commission of crime rather than its repression, by holding out indulgences to the criminal over the honest boy. The Rev. Sydney Turner stated the result of the reformatories at Norwich, Birmingham, and Liverpool, showing the large diminution of crime during the last three or four years. There are at present 476 parents contributing to the maintenance of their children. The number of admissions in the last nine months was 608, and for them there were 547 parents liable to contribute. During the first quarter he received 50*l.*; second, 80*l.*; third, 180*l.*; fourth, 194*l.*; fifth, 224*l.*; sixth, 288*l.* Mr. Elliott believed that reformatories only encouraged the commission of crime, owing to benefits offered to their inmates by the distribution of good food and clothing; they received far more than the honest and industrious poor could obtain. Mr. Barwick Baker said that he had corresponded with Mr. Elliott, but could never get any satisfactory answers to his questions; Mr. Elliott had admitted that he had never visited any number of prisons or reformatories, but had obtained most of his information secondhand.

The President observed that when we call in the aid of the State we are bound to put those cases first under reformatory treatment for which the State makes provision, as the most dangerous to society. He believed that reformatories if properly managed, and if the responsibility of parents was strictly enforced, were a most desirable mode of repressing crime.

After Miss Carpenter had read the paper which appears at page 413, the Rev. W. Fraser's contribution 'On the Comparative Merits of Large and Small Reformatories,' was read, in which he gave preference to the larger schools, as presenting, among other advantages, a more efficient course of elementary education by thoroughly trained masters; a greater variety of trades, the stronger influence of emulation and sympathy among numbers in promoting intellectual, moral, and industrial improvement; greater economy, and greater benefit both to the offenders and to the community. In the discussion a considerable difference of opinion was apparent as to the respective merits of large and small reformatories. Mr. Bishop stated that in America large reformatories were universally preferred.

The business of the Department concluded with the paper by Mr. G. H. Bengough, printed at page 409.

PUBLIC HEALTH.

On Certain Obstacles to Sanitary Reform. By the Rev. CHARLES KINGSLEY.

IT is unnecessary for me to speak of what has been done, or of what remains to be done, in the details of sanitary reform. Those subjects will be discussed in this section by abler men. I only ask a few minutes' patient hearing, to explain what seems to me the chief cause why more has not been done. If in the course of this attempt I may seem to wander from sanitary reform to questions purely social or political, I must entreat the audience to recollect that, both in science and in practical life, it is impossible to define strictly the domain of any given subject; that as physical and spiritual questions are the more inextricably intermingled the deeper they are investigated, so are social, political, medical, chemical, and geological inquiries flowing into, or gaining light from each other at every turn; and that, therefore, social science, in its deepest sense, must include all sciences which bear upon the earthly well-being of man.

It is pretty generally confessed that we possess sanitary knowledge sufficient (could we but apply it) to exterminate pestilence, and probably most forms of zymotic disease; that we could make our cities very nearly as healthy as the country; could considerably lengthen the average of human life, and could bring up the rising generation under circumstances almost certain to produce the highest health and vigour. But it is confessed, on the other hand, that though we know how to do all this, we are not doing it, nor are likely to do it; and it is confessed also, at least by most thinking men, that the cause of this impotence is inefficient legislation permitting local mismanagement.

With all deference to the opinion of far wiser men, I cannot but think, from my small experience, that our sanitary legislation has been hitherto inefficient simply because it has left the execution of the law too exclusively in the hands of local authorities without any easy appeal from their decisions, however foolish or wrong, and because these local authorities have a direct pecuniary interest against that being done which they are appointed to have done, if it either does or can diminish the money value of houses, which may themselves be in a state unfit for the habitation of human beings; and that these local authorities are inefficient, because most of them are directly interested in the preservation of the very nuisances which they are bound to suppress. It is thought by some unwise to let the game-preserving squire sit in judgment on the poacher. Be that

as it may, it would be still more unwise to let the poacher sit in judgment on the squire and his right to preserve the game. If it be a questionable rule to allow a man to be plaintiff and judge at once, it is still more questionable to allow him to be defendant and judge at once. Yet this plan we have as yet followed in all our attempts to legislate for sanitary reform; in plain English, for the health, morals, and lives of millions.

Strong as this statement may seem, its truth will surely be evident to those who think over the constitution of any vestry, board of guardians, or local board of health with which they are acquainted. They will find that the majority of its members are men of the middle class, who either own cottage property themselves, or are the relations or friends of men who do so. In country districts the pernicious custom of letting the cottages along with the farms enlists all of the farmer class against sanitary reform who are not proof against the appeals of self-interest, who if tenants at will cannot afford to spend money in improvements not immediately profitable, even if they were clearsighted enough to see that their human labourers' well doing was as essential to their own as the good condition of their brute labourers. In an average board of fifteen guardians, there will be barely five, including the ex-officio members, who either wish or dare to remedy—even to confess—the most patent nuisances. In towns, there is scarcely a local board of any kind which is not full of men of small independent means, invested in low-class houses, and probably collecting their own rents weekly; of builders who have run up small tenements on speculation, and of attorneys, or other men of business who have mortgages or other liens on such property. Now, all these think themselves directly interested in keeping things in *statu quo*, and do so. Doubtless, there are great excuses for them. The majority of old low-class houses in towns are in bad repair at the time when they pass into these men's hands, and are inhabited by people whose payment of rent is very uncertain, so that it often is not worth the receiver's while even to repair, much less to improve. In the case of new tenements, again, though a society of gentlemen who have built a model lodging house may draw from it a fair interest for their money, yet that interest, amounting at most to six per cent., will not remunerate a professional builder, who desires to turn his money as quickly as possible; and who must, therefore, if he builds at all, build houses furnished with the minimum of conveniences. While in the southern and midland counties, I know it for a fact—and an appalling one it is—that a cottage fit for the labourer to live in must be let at a rent which the labourer cannot pay. My truly noble friend, the late Mr. John Paine, of Farnham, who was as great a benefactor to the labouring man as he was to field-chemistry and to agriculture, used to say that he built decent cottages (and they were not ornamental or extravagant ones) as a duty to God and man; but that as an investment he was out of pocket by each of them nearly a shilling a-week. Such facts teach us not to judge the average houseowner harshly;

but they teach us also to ask for some legislation, and some inspection, which shall at least restrain, if it cannot prevent, the effects of such a social evil.

Cottages fit for a family to live in must now be let in competition with those constructed at the lowest possible cost, the saving of expense involving the almost inevitable sacrifice of their inmates' comfort, health, morality, and possibly life. Unless the letting of dwellings unfit for habitation be prevented, the poorest will be forced into them, just as certainly as they would be fed with tainted meat and doubtful bread, if such were permitted to be sold. On the same principle that the fair trader should be protected against the unjust and injurious competition of the seller of unwholesome food, and thereby be enabled to get a fair price for a fair article, so ought the owner of a wholesome house to be protected against those who offer houses to let, healthy existence in which is scarcely possible.

It may, at first glance, appear hard upon the poor not to allow the cheapest possible houses to be let. But an unhealthy house, however low-rented, is very dear. Sickness in a poor man's dwelling exacts a rent far heavier than the greediest cottage speculator dreams of. Cost of doctoring and nursing, loss of time, and diminished strength, quickly absorb all apparent saving of rent. And who shall estimate the value of life destroyed, the cost of wives made widows, children orphans, parents childless, of domestic morality destroyed, or not fostered for want of domestic decency and comfort; of a population at once weakened, diminished, and degraded. Such cost, such loss, exceed tenfold the difference of rent of houses, fit or unfit for habitation. It is waste of money as well as of life, and happiness, and morality, and of interests higher still, to permit men to live as so many of our poor do, and unaided must. So long as nothing but mere shelter is offered, nothing beyond mere shelter will be attainable by the poorest, for the lowest wages are ruled by what the poorest feel to be the necessity of life; if they cannot get that they become paupers. But it may be feared if the cheapest houses be prohibited, many now independent must become paupers. Not so, however. The low-rented houses, by preventing better being let, create far more paupers than they prevent, if they prevent any. Far better would it be for the ratepayers to have to maintain a small portion of the poor as paupers, than to allow a large portion to become paupers, because of the sickness and death the housing of the mass of the poor, as they are now housed, must and does occasion.

This is no new principle of legislation. It has been acted upon on many an occasion. For example, in this very town* the habitation in certain cellars is prohibited, and in others restrained, and the operation of the law has been most strikingly beneficial, saving many hundred lives a year. Great hardship and difficulty attended the change, and possibly, as has been asserted, it was effected too abruptly, but the principle was right. Under-ground dwellings, dark, damp,

* Liverpool.

and close, are unfit for human habitation. It was not right to allow them to be occupied, and their occupation was very properly, and as the result has proved, very beneficially prohibited.

It was a wise and kind interference with the liberty of the subject to place common lodging-houses under inspection, and to compel those who offered shelter to the poorest, most helpless, most ignorant and most reckless, not to accompany it with conditions involving imminent risk to health and morality, as was the case. The result has been triumphant, disorder conquered, fever banished, death restrained, decency secured, comparative comfort obtained, and cheapness not sacrificed. What is wanted is the extension of the same *principle* of inspection by impartial examiners and control by legal authority to the whole class of dwellings inhabited by those who cannot and do not efficiently protect themselves and their still more helpless families. I see no good reason why the right of inspection and the power of control should not be extended to all dwellings whatever, with whatever precaution that may be thought necessary to guard against the risk, if risk there be, of intrusion upon domestic privacy, which appears to me a very shadowy danger. Simple inspection, with publication of the results by officers not locally connected, will do much to bring about the remedy, which local authorities have the power but not the will to apply. In those few cases where exposure of the neglect of the local authority and its consequences is insufficient to rouse a controlling public opinion, appeal should lie to some external and independent authority, bound to decide the point at issue according to its merits and not according to its supposed effect upon some forthcoming election, or on the individual interest of some powerful town-councillor or vestryman. Some think the appeal should be to a Department of the State, others to a court of law; the essential point is to secure the right of appeal to some body not interested in the decision, and bound to determine according to evidence, with no electioneering purpose to serve, no individual interest to consult.

I have just mentioned inspection as well as legislation, and why a permanent staff of Government Sanitary Inspectors should not be appointed it is difficult to say. We have now Factory Inspectors, Mine Inspectors, School Inspectors, and they all work well. Not an argument can be brought against the institution of Sanitary Inspectors which was not brought against them. The expected—or rather prophesied—bureaucracy, jobbery, interference with private rights, and so forth, are found to be mere phantoms. Why should they not prove equally imaginary in the case of Sanitary Inspectors? The force of that popular argument against them, drawn from their likeness to the old Roman Ædiles, I have been hitherto unable to perceive.

But even if we had a permanent staff of inspectors, both for town and country; even if they had the power of examining into all water supply and drainage, and of entering private houses, at least on the report of a medical man or a police-officer, still, of what use would they be unless they were able, in the teeth of local ignorance or

cupidity, to carry out a code of stringent laws, and those not palliative, but preventive?—and palliative only, as yet, has most of our legislation been. Each successive Act of Parliament has given us, no doubt, increased power; but to do what? simply to shut the stable door after the horse was stolen. Preventive acts, which shall strike at the root of the evil, which shall absolutely compel all new tenements to be constructed according to the law of nature and of health, which shall absolutely ensure either the destruction or improvement of all tenements constructed contrary to those laws, such Acts of Parliament we have yet to seek, and shall have to seek them, I fear, for a very long time to come.

For it is surely hard to deny the fact, that the class to whom members of Parliament look most for their election, and whose interests therefore most Acts of Parliament ultimately represent, are that very lower half of the middle class of which I have spoken already. The small house-owner, the small shopkeeper, the tenant farmer, and their compeers. These men may have as many virtues (why not?) as those above them or below them in the social scale; but they are not the class to whom we are to look either for the science or liberal-mindedness of the class above them, or for that hardly-bought experience of everyday practical evils, which often stands the working man instead of mental instruction. Living in a certain rude comfort, in a very narrow sphere, and conscious of their great political and social power, they are well content to leave things as they are, whenever things make, as in the case of sanitary disorder, for their private interest. And yet it seems to me that this class, the least instructed, and, politically speaking, the least practical class in England, are the only one which is now thoroughly represented. They control our elections, their prejudices, superstitions, pride, and theirs alone, must be courted by the man who desires to become a senator; while the man of science or of scholarship, who could and would do battle against our social evils, has practically little more voice in the legislation of the country than the working man who suffers from those evils, whose children, and too often he himself, are the victims of preventible disease, or of lingering weakness and misery engendered by an atmosphere to which we would not expose our dogs and horses.

Under present circumstances, I cannot for my part have much hope of a thorough sanitary reform throughout England. For the country districts, certainly, there is some hope. The English farmer has many noble qualities inherent in him already, and he is becoming year by year more liberal in his notions, more scientific, more aware of the great world beyond his market-town. The admirable example which many landlords are now setting him—more and more, thank God, year by year—is telling on him. He is learning that he has duties to the poor as well as to himself; and were he generally relieved of those farm cottages, which are to him at once a burden and a temptation, he would work for us; and be it remembered that whatsoever he does work at he works at well.

But there is another class which infests—I can use no weaker word—the country, for whom no severity of inspection or legislation will be too great—I mean the small cottage speculator; the village shopkeeper, or retired gentleman's servant, who ekes out his income by rents, and—a class more troublesome even than he—the resident in some neighbouring town, who, having got possession of an acre or so of land, runs up a row of rack-rent hovels, without gardens or decent conveniences, half in the hope that the neighbouring squire may rid himself of the nuisance by buying him out. In such spots it is that you must look first for the conditions of fever, and the whole tribe of zymotic diseases; and in such spots, too, you must look for those loose characters, uncertain in employment and in habitation, thriftless, dirty, and dissipated, who carry physical and moral pollution with them, as they shift from one parish to another.

Now this class of house-owners, whether in town or in country, is not an improving one. They have no care to raise the working man to a degree of sanitary comfort which they generally consider unnecessary for themselves; and if they be non-resident in the parish, they have not even the check of neighbourly feeling or of public opinion to keep them straight. If by bringing disease into the parish they increase the rates, they comfort themselves with the thought that the whole parish bears the burden, and not they alone; while their remaining capital being generally nought, or employed elsewhere, and their margin of profit very small, and only eked out by making those who will pay pay for those who will not, they have really no means of improving the cottages which are unfortunate enough to belong to them.

How far these last facts apply to the owners of lower-class houses in towns, I have not experience enough to say positively; but my belief is, that, *mutatis mutandis*, the cases are the same, and that the small house-owners in towns are at once so ignorant and so hampered by the uncertainty and smallness of their profits, that nothing is to be expected from them.

A vigorous system of inspection would, I believe, exterminate a large proportion of this class. They would say at once, 'We cannot afford to comply with Government requirements: we must sell at all risks.' And hence would arise a great and sudden depreciation of lower-class house property, with curious, but to me as yet unforeseen, results.

But these house-owners have long ago agreed as to the ugly results of Government inspection; and therefore it is to be expected that if at the next general election sanitary reform be made (as it must be some day) a public hustings question, for one educated man who asked, 'Will you support sanitary reform as a sacred duty to your country and your countrymen?' we should have three from what I must call the *un*educated classes asking in return, 'Will you promise to ignore sanitary reform, and leave us and our house-property alone? for if you do not, elected you shall not be.'

The danger is, that neither in Parliament nor in local managing bodies will the educated classes be adequately represented, or perhaps

ever represented at all, except by those who, to secure the permanence of their seats, must sacrifice much of what they feel to be just and useful. It is an almost universal complaint that the local power is getting into the hands of a lower and lower class; that the educated and refined cannot get elected without surrendering their independence of thought and action, and deferring to the opinions and prejudices of those they know to be mistaken, and that they will not encounter the disagreeables of parochial and municipal elections. The remedy seems to be the addition to every local governing body of some members directly representing the more highly educated classes, whose opinions and wishes would thus be secured the opportunity of being heard, with the probability of making some impression upon the minds of those who may come to the discussion with opposite prejudices, and as representing different, possibly hostile interests.

How is this real and radical evil to be met? How are the present cottage owners to be deprived of their undue power? How is a fair hearing to be obtained in the public councils of this nation for the working man who dies of epidemics, and for the educated man who can and will exterminate epidemics? This is to my mind the radical question of sanitary reform. That solved, all will be, if not easy, at least possible and clear. I do not pretend to point out where the solution is to be found. If the noble lord who presides over this Association will, in due time, show the world how the thing may be done—and still more, if he will do the thing himself—it will be a noble addition to the catalogue of those benefits which he has conferred upon this land.

On the Effect of Poverty and Privation on the Public Health.

By W. P. Alison, M.D., *Edinburgh.*

HAVING been honoured by an expression of wish from members of the Fourth Department of the National Association for the Promotion of Social Science, who attended the meeting of the Medical Association in Edinburgh in July last, that I would communicate to them such information as may be in my power, on the subject of the influence of poverty and privation on the public health, I have here laid together several pieces of information, which seem to me to be of importance, which I have obtained at different times, chiefly since the great discussions on that subject which took place in Scotland between the years 1840 and 1845, when they were brought nearly to a close, for a time, by the enactment of the present Scottish poor law,—after having contributed in some degree, as I believe, to the formation of that public opinion on the subject, which attended at least, if it did not assist, the corresponding important, although tardy, act of 'justice to Ireland.' It is obvious that ample room for further discussion of the subject remains, from the circumstance of the essential difference still existing between the laws of

England, Scotland, and Ireland on this fundamental point of social legislation; the law of settlement and the relief practically allowed to the able-bodied being, as the pamphlets of Mr. Palmer and others have shown, essentially different in all three countries, and different in all from the *Droit de Travail*, which is still the object most warmly demanded by one party and dreaded by the other in France; and if the statements and reasonings here contained shall have no other effect, I should hope they may be regarded with indulgence as a mite of contribution on a subject which, foreign as it may be thought to the numerous lines of inquiry open to a practitioner and teacher of medicine, has always seemed to me among the most important of those, by the study of which he may hope at this time to enlighten and benefit his country. On the other side of the Irish Channel we have had a recent and terrible example of what may be expected from the dispensations of Providence on a land, the majority of the inhabitants of which had been subsisting for a length of time on the lowest rate of sustenance compatible with human existence.

It is a principle on which I believe medical men and political economists who have carefully studied the subject are now more agreed than on any other question touching the public health, that among those persons, particularly in a complex state of society, 'who are most in want of the comforts of life,' there is the greatest amount of sickness and mortality; but in stating and assenting to this doctrine, it is very important to observe, that we are all aware of various difficulties and ambiguities which beset it, as indeed almost all questions in Medical Science to which Statistics can be applied,—to such a degree as to make many learned and judicious medical men very apt to distrust all principles founded on this kind of reasoning, and desirous, in discussing all such questions, to let it be generally understood, that they think it better to watch than to count; that is, to examine the state of symptoms and the progressing individual cases, than to compare long lists of patients seen by different practitioners, and as to whom the judgment of the medical men under whom they may be treated, must necessarily be one of the elements enabling us to compare them.

It is, however, generally agreed among medical men that to questions regarding the external causes of disease and the means of their prevention, statistical evidence, or the numerical method of inquiry, is chiefly applicable, and on a little consideration of such questions the reason of this is usually sufficiently obvious. For example, when we find that—the average annual mortality in this country being 1 in 45 or 46—the mortality in a particular town or district rises in any one year to 1 in 28, or even to 1 in 22,—if we are sure that this mortality is fairly ascertained, and that the obvious source of fallacy from immigration and emigration is avoided;—or when we find that in a particular trade the average duration of life, instead of being forty or more, is under thirty years, we have the important, though very general principle established, that some of the peculiarities of the mode of life of those, among whom such mortality is observed,

must be peculiarly prolific of disease. On the other hand, when we have such a statistical statement as that given by the late Dr. Luscombe of the health of a division of the army in Spain, engaged during a week of almost incessant autumnal rain in an expedition to Arroyo de los Molinos, in which they outmarched and overthrew one of the most active divisions of the French army,—passing two of the nights of the week in bivouac without fires,—and find that nevertheless the number of sick in that division was less during that and the next week than in any other equal period of the year,—it would be absurd to argue, from these or other similar facts, that former medical observers have been mistaken in the opinion that cold, wet, and fatigue are powerful causes of disease, and particularly of inflammatory diseases; but we have in that simple statement evidence, such as nothing but statistics can supply, of the efficacy of some cause acting on the constitutions of the men which must have counteracted the usual effect of cold, wet, and fatigue in producing disease; and we can hardly conceive that any circumstances, common to this large body of men, can have had this effect, excepting those to which Dr. Luscombe ascribes it; viz., 'exercise and mental excitement.'*

The only way to surmount these difficulties as to the efficacy of the external causes of disease and the means of prevention, according to the true method of induction, is by multiplying the observations, if possible on organized bodies of men, until we have such numbers affected by disease as may entitle us to say that all the conditions requisite for determining that effect must have been fulfilled; and in regard to the general question of the effect of poverty and privation on health, there can be no doubt of such comparative observations having been made to such an extent as we may fairly hold to be decisive.

I would beg to refer to a paper on the health of the different districts of Paris, published in 1825 by Villerme and Villot, but framed, as I conceive, more strictly on the method of induction or exclusion, than any one I can mention published with the view of maintaining any doctrine as to the most general causes of disease in this country.

It appears from that paper, that on comparison of the bills of mortality in the different arrondissemens of Paris for ten years consecutively, these different districts of the town preserved with remarkable uniformity the same relation to one another in regard to mortality; the average mortality of the whole city being about 1 in 32; the greatest mortality, that of the 10th arrondissement, being about 1 in 24; and the smallest, that of the 1st arrondissement, about 1 in 40.

These physicians then attempted to ascertain whether this uni-

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* This and other details on this subject will be found in a paper by myself in the 'British and Foreign Review,' 1854, No. 25.

formly greater mortality could be ascribed to a denser population in the unhealthy districts—whether estimated by the number of houses to an acre, or by the number of inhabitants to a house; next, whether it could be ascribed to differences of soil, or to vicinity to, or distance from, the river; or, again, to any relation to the fetid marshes of Montfaucon. None of these conditions appeared to influence the average mortality of the districts in which they existed; simply for this reason, that when arranged according to the degree of any one of these conditions, the different districts were found to occupy very different positions from what they did in the order of healthiness already mentioned. But when the different districts were compared according to the number of their 'pauvres,' *i.e.*, of inhabitants who were excused from payment of taxes on account of certificates of destitution, they were found to arrange themselves, year after year, in the same order as when compared according to their mortality—the 1st arrondissement occupying the lowest place, and the 10th the highest; so that the examination of the records of the mortality in this city serves only to confirm the general principle long understood, and which is laid down by Mr. Chadwick in his 'General Report on the Sanitary Condition of Britain,' that the probability of life in any class of men is greater, *ceteris paribus*, as their circumstances are more elevated above destitution.

When I had the great satisfaction of reading the observations made by Lord Stanley in the Transactions of this Association, I took the liberty of writing to his lordship, to express my gratification at finding that he was satisfied of the truth of that great principle of artificial wants limiting and controlling the productive powers of our species, which I have always maintained to be the true practical antidote to the speculative opinions of Malthus and others on this subject. At the same time I took upon me to say that I was sure my friend Mr. Chadwick would do me the justice to admit, that the same doctrine was maintained and fully illustrated in my first pamphlet 'On the Management of the Poor in Scotland,' which was published in January, 1840, and again in the various discussions on the subject in the general meeting of the British Association at Glasgow and elsewhere in 1841, and that Mr. Chadwick's important volume 'On the Sanitary Condition of the Labouring Poor,' to which Lord Stanley had referred, was not published until 1842.

It must be expected that this difficulty will present itself in all countries in an advanced state of civilization, to those who look forward even to the offspring of the present generation—when they reflect that already the number of the people in some districts is greater than can procure a comfortable subsistence by labour; and that 'the principle of population' consists essentially in the possible advance of the former number in a geometrical, while the latter can only advance by an arithmetical progression.

Accordingly we find it stated clearly and precisely by Mr. Mill, that he sees no objection to the *Droit de Travail*, as proposed in France by the Republican party when in power, except that it is

calculated to 'encourage the increase of population,' which ought on the contrary to be kept within due limits.

As this seems to me the precise turning-point of this discussion, I must beg leave to dilate a little on the answer which has always seemed to me satisfactory in regard to it, and on the ample confirmation which that answer appears to me to have received from several quarters.

In my observations 'On the Management of the Poor in Scotland,' published in January, 1840, and in the preface to which I referred to the same argument published anonymously some years previously in *Blackwood's Magazine*, I stated it to be the general opinion of the most influential persons who had presided over the public charities in Scotland for many years previous to that date, that all legal provision for the poor was a great evil; and even that all private charity, intended merely for the relief of indigence independently of disease, was of very doubtful public advantage,—very easily carried to excess, and then 'breaking down the spirit of independence among the poor,' and rapidly multiplying the objects of charity;—that therefore the religious and moral education of the poor should be the main object of the assistance given them by the higher ranks, and that if that object was duly accomplished the poor were most benefited by being left to themselves, when their own prudence and foresight, strengthened by the religious and moral feelings that had been inculcated in them, would form the best security against the evils of poverty. ('On the Management of the Poor,' page 38.) Without reverting to the various discussions on that subject which I flatter myself were in some measure the result of the statements and reasonings contained in that and several subsequent pamphlets of mine, and to the opinion delivered, particularly at Glasgow, in the statistical section of the British Association—I must request attention to the answer which I have uniformly taken upon me to give to this argument, of increase of poverty and suffering having been the ultimate effect of the introduction of poor laws into any country, namely that it is absolutely unfounded in fact; the result of experience, so far as any experience had gone, being exactly the reverse of what had been here supposed.

In confirmation of this general proposition I request attention to the following official statements:—

It appears from a return moved for by Mr. E. Bouverie, M.P., that in 1856-7, the fiftieth year of the series of authentic statements, 5,898,756*l.* was expended on paupers in England and Wales. From 1826 to 1829 the expenditure for relief of the poor was upwards of 6,000,000*l.* a-year, from 1817 to 1820 it was upwards of 7,000,000*l.* a year, and in 1820-21, it was as high as 6,959,251*l.*, the expenditure always falling short of the sums levied as rates because many charges unconnected with pauperism are legally payable from the poor's-rates. The portion of the rate spent in poor relief has considerably diminished in recent as compared with former periods, notwithstanding the increase of population.

Thus from 1813 to 1822 the yearly average of expenditure was 8,284,788*l.*, whereas from 1848 to 1857 it was only 7,567,040*l.*—the difference between 80·8. 73·0 per cent. The total expenditure in 1857 for all purposes was 8,339,210*l.*, of which 2,440,454*l.* was for purposes unconnected with the relief of paupers.

The same observation in its application to the city of London is contained in Mr. Lumley's paper in the Transactions of the Statistical Society for June, 1858. In Scotland, although the present Poor Law has only existed since 1845, its pressure on the rate-payers has been so controlled, that whereas the number of registered poor in 1847 was 74,161, and of casual poor was 60,399, in 1857 the registered poor were 69,217, and the casual, 36,545. (See Twelfth Annual Report of Board of Supervision, page 14.)

Whether the *Droit du Travail* of the French is or is not 'the poor law of Elizabeth, and nothing more,' I do not pretend to judge; but that the objection to that 'Droit,' founded on reference to Malthus's principle of population, is the same, there can be no doubt; that objection being simply this, that 'society cannot grant this without encouraging the increase of population, which should, on the contrary, be kept within due limits.' And the answer which is given to this by M. Louis Blanc being substantially the same as I have given above, and being besides, as I am well persuaded from my own observation as well as the testimony of others, well founded on fact very generally throughout that country, is added here in the confident expectation that its truth and its importance are gradually making their way among thinking men in all countries, and will prevent the simple and sublime principles of Christianity from being frustrated in their operation, at least during the next generation.

In France there is no need of social restrictions or positive regulations to prevent an ominous increase of the number of strangers in quest of 'a place at the table prepared by the collective exertions of the race.' The check on population lies in the good sense and foresight of men in good circumstances who take care not to give existence to more children than they have means to support, and to put in a condition, when grown up, to support themselves. A statistical description of France has shown that the population there, far from increasing at an alarming rate, is nearly stationary; and the striking fact is, that if any excessive increase of population has taken place in France, it is precisely in the class of the poor and unemployed; whence the French word *proletaires;* and why? because those who have no hold on the present have little business to trouble themselves with the future —because extreme poverty and foresight are contradictory terms—because he who lives habitually from hand to mouth is naturally led to adopt for his children as he does for himself, the proverb 'Sufficient for the day is the evil thereof. See 'Political Revelations' by Louis Blanc, page 87-8.

I trust, then, that we may now take for granted, as stated by Lord Stanley, that the idea of occasional pestilence, however awful, being necessary 'as a preventive check in population, keeping it within the

limits of possible subsistence, is a fallacy; the truth being, that wherever the habits of the people are most degraded, there the restraints of prudence are the least felt, and the increase of population takes place to the greatest extent, irrespective of the means of 'support that can be provided;' and that 'improve the habits and increase the self-respect of the people, and you will have fewer mouths to feed, and more efficient labour to support them.'

The anticipations of the Irish newspapers which I annex are perhaps somewhat too sanguine, but that this is the result to be looked for from recent legislation on this subject in Ireland I can have no doubt. 'The people of this country will never return to the semi-civilized system of subsisting on mere roots. The day of such a low class of diet ruling in the cottage of the Irish peasant has passed away, never to return. Good wages have elevated the tastes of our people, and their very physical appearance testifies to the improvement which has been thus effected.

'As well might it be argued that the country would go back to protection duties as that the Celt would return to the potato. In proportion as the means of the people improve, so will their habits of household consumption advance; and in a few years the taste for the more nutritive and better articles of food will be very far above what exists at present.'*

I cannot but regard the present as a favourable opportunity to urge on members of the Legislature the anomalous and injurious state of the poor-laws, and particularly the absence of all right to relief for able-bodied unemployed persons in Scotland, while we have at this moment in Edinburgh no less than 364 tradesmen and mechanics, of whom 201 are married men, applying for relief to the magistrates, who have none to give them, and asserting that there are several hundred more equally distressed, but being only labourers out of work were not admitted on their list;—while every one of such cases in England would be entitled to relief, if directed by a magistrate, and even in Ireland would be entitled to board and lodging in a poor-house;—and as the number of such cases is so great at this time, when labourers' work in the agricultural districts is still pretty general, it seems to me nearly certain that we shall have much deterioration of the habits of those people, and very probable that we may have contagious fever among them; and that in so far as the inhabitants of Edinburgh shall be successful in warding off these evils during the ensuing winter, it will be done at the expense of the charitable portion of the inhabitants only, who are well known by former experience to form but a small portion of the community; while a great majority of the inhabitants, who are reached by an assessment—as appears from various documents quoted by myself and others—avoid all voluntary subscriptions.

These evils are likely to be aggravated at this time in Edinburgh,

* *Banner of Ulster*, August, 1858.

as in consequence of the alterations and improvements of the better parts of the city, many of the older houses are knocked down, and many of the poorer class of artisans and labourers, although not out of employment, have great difficulty in getting houses; and the well-known peculiarity of the houses in the old town, which are the chief residences of the labouring poor—their being piled up in lofty tenements, with narrow alleys (or closes) between them—is so unfavourable to health that they cannot be allowed to be rebuilt in such a manner as to accommodate nearly as many families in future. Indeed provision has been made against the houses being so crowded together, at the instance of the Royal College of Physicians, by clauses inserted in the last Acts of Parliament applicable to the police and improvement of the city.

In these circumstances, it seems to me extremely desirable that the attention of all who are interested in the subject should again be directed to the present state of the poor-laws affecting Scotland, and to the grounds on which the proposal made at the time of the last alteration of the Scottish Poor-law, to assimilate it to that of England as regards at least many of the unemployed poor, was successfully resisted.

The main ground was simply the belief or apprehension, strongly stated by Dr. Chalmers and others at that time, that more injury would be done to the character, and ultimately to the number, of the Scottish poor by granting them the right of relief, than benefit by relief of their sufferings.

In regard to the danger of legal charity being carried too far, and injuring the character of the poor, I beg to make two remarks only. First, that although it is generally admitted that previous to the Poor Law Amendment Act this kind of relief was carried too far, and in some degree misdirected, in England and Wales, there was no evidence to the effect of loss of independence or industry having generally resulted in England; but on the contrary, much evidence extremely favourable to the general moral character of the English poor, and those of the Scottish parishes, particularly in Berwickshire, which at that time most nearly resembled the English in their management of the poor, as is shown particularly both in my Reply to Dr. Chalmers, and in my Remarks on the Report of the Commissioners, whose inquiry preceded the Scottish Act of 1845. And secondly, that this danger of parochial relief being carried too far, must always imply a negligence, or weakness of character on the part of educated and respectable men constituting the parochial boards, of which in Scotland at least I confess that I have no serious apprehension; whereas the effect of extreme indigence, producing recklessness and improvidence, and hurtfully extending the population, appears, as I have stated above, and as Dr. Chalmers himself admitted, from the experience of many countries to be a very general result, always to be expected in the ordinary course of nature, when this cause acts on ignorant, debased, and improvident men.

In regard to the kind of injury to the human constitution to be

expected from extreme poverty and privation, and consequent dependence on too low and often too uniform a diet, a few observations may obviate misapprehensions.

It is always to be remembered that the causes of disease are very generally complex; even in the case of acute febrile disease—still more in the gradual production of constitutional chronic tendencies, general or local,—it is now understood that various causes generally co-operate; and those who are not aware of this principle may often mistake most materially the inference to be drawn from facts generally well authenticated, but apparently at variance with one another, *e.g.*, the long probability of life in the inhabitants of the agricultural districts of the north of England and of Scotland, and particularly of the Orkneys and Shetlands, where the people enjoy the benefit of pure air, exercise, a diet partly animal, and even frequent exposure to cold within certain limits (in those who are fitted to benefit by it), and exemption from many of the causes acting injuriously and irregularly on the inhabitants of large towns, particularly in early life.

The diseased states of the body which may be most distinctly traced in part (never excluding entirely the action of other causes in individual cases, whether favourable or unfavourable) to the influence of poverty and privation, may be divided into the constitutional chronic diseases and the epidemic and endemic acute diseases. Of the first, the most important are those resulting from the scrofulous habit, or tubercular diathesis, in children and young persons,—and those resulting from the tendency to atheromatous deposits, or malignant deposits, in advanced life.

I add here only a few coincidences of expression which I think striking, of the manner in which poverty and privation affect the course of the epidemic diseases, each of which has a cause, peculiar to itself, originating and extending, or becoming aggravated, from time to time, in modes that are only imperfectly known; but each of which is certainly and materially aggravated whenever and wherever it exists, by the co-operation of that specific poison with any such causes, bodily or mental, as are known to depress the vital energy in the different modes which may be reasonably ascribed to destitution.

I should be concealing a conclusion to which all my own observations and experience have led me, and of the truth of which I am firmly convinced, if I did not distinctly avow my belief, that whatever the essential cause or causes of the origin of contagious fever may be, poverty and want are the most influential causes of its prevalence and extension among the labouring classes.

The following are from reports on the condition (since then I trust materially improved) of the working population in Manchester and Liverpool, prior to the enactment of the amended poor law.

'I am extremely anxious to express my opinion on this point in the most decided and explicit manner, because I am satisfied that as long as the poor are in a state of great destitution, and are not

provided with adequate nourishment, clothing, and shelter, no sanitary regulations with regard to the cleansing and ventilation of the streets, and the removal of the sources of malaria, will effectually check the spread of fever.' 'Howard's Report on Manchester,' page 28.

'It is to be remembered that many of the evils which I have pointed out are, perhaps, the inevitable results of poverty; and I believe that fever, to a certain extent, is an inseparable accompaniment of extreme poverty affecting large masses of the community. Among the causes of fever in Liverpool, I might have enumerated the large proportion of poor Irish among the working population. It is they who inhabit the filthiest and the worst ventilated courts and cellars, who congregate the most numerously in dirty lodging-houses, who are the least cleanly in their habits, and the most apathetic about everything that befalls them. It is among the Irish that fever especially commits its ravages, and it is they who object most strongly to be removed to the hospital from their miserable abodes; nor does the evil stop with themselves. By their example and intercourse with others they are rapidly lowering the standard of comfort among their English neighbours, communicating their own vicious and apathetic habits, fast extinguishing all sense of moral dignity, independence, and self-respect.'—Report on the Sanitary State of Liverpool, by Dr. Duncan, page 8.

'I cannot, from the investigations I have made into the localities and progression of fever, connect its ravages with the nuisances which are exterior to the houses of the poor. It seems to me to be the offspring of their poverty itself, which renders their constitutions susceptible of attack, especially when exposed to contagion. The progress the disease has made from place to place indicates the powerful operation of contagion as an exciting cause; whilst its selection principally, though by no means exclusively, of the poor, shows that poverty is the great predisposing cause.

'In fact, Poverty, when it attains to a certain pitch, seems to me to reduce all other predisposing causes of disease to insignificance in comparison with its direful influence. Scanty, uncertain, and innutritious food, insufficient clothing, squalor of person, incessant labour, sinking of the heart, cold lodgings, filthy beds, or harsh substitutes for beds, the atmosphere of their dwellings confined for the sake of warmth, and poisoned by too many breaths, or polluted by noxious exhalations,—these hold the vital functions too rigidly and cruelly in their gripe to permit the more remote influences of climate to be in any appreciable degree effective for good or for evil.' 'Dr. Syms' Report on Ayr.'—Report of Poor Law Commissioners for Scotland.

On the Necessity for Experimental Works before incurring any large Expenditure for the Disposal of Sewage. By P. H. HOLLAND, M.R.C.S.E. Medical Inspector Burials Department of the Home Office.

THE town population of England is stated to be eight millions. The refuse of such a population, if it produce only a shilling each (and that used at Edinburgh produces a larger sum in proportion), would be worth 400,000*l.* The nitrogen alone contained in the refuse, if it could be all productively applied, would cost ten or twelve times that sum, and is enough to maintain in fertility about two million acres of land, or to double the fertility of perhaps half that area; the political and economical effect of which would be equivalent to adding to the power and wealth of the country without increasing its size. I do not wish to convey the idea that I expect any such sum as 400,000*l.* will be realized by the sale of the refuse, for first it would be difficult, perhaps impossible, to convey it economically so as to develope its greatest productiveness; and secondly, if it were so applied, the great increase of supply to the manure of limited districts would depress its money value. It is, however, impossible to fix a limit to the national wealth which may ultimately be obtained from this undeveloped source of production.

Suppose the fertility of a given area to be maintained by the use of town refuse now wasted; the manure produced by the animals fed on the land so manured need not be returned to it, but will be available next year for another portion of land of perhaps half the area; in the succeeding year the manure produced on the second portion will be available for a third portion of land, and the manure of that again for a fourth, and so on, indefinitely, until the country has as large a supply as can be usefully employed, and it is possible that the refuse of England may be saved so completely as to render the imported food and the natural supply of food for plants more than enough for feeding the increasing population. If so, instead of importing, the exporting of manure may become an important branch of commerce.

To all appearance we are a long way from such results; at present the question is, can we approach them at all? Apart from mere economical considerations, which are important enough to be worthy of national consideration, the question of how to dispose of the refuse of towns, simply to avoid its injuring ourselves or others, presses more and more urgently for decision.

It is true that the evil done by pouring refuse into rivers may be less than is supposed, and almost infinitely less than allowing it to putrefy in towns. The rapidity with which running water is, by chemical and vital agencies, freed from organic impurity is most astonishing, and the obligations we owe to the innumerable little creatures, visible and invisible, that help to perform this impor-

tant service are immense, but it cannot be denied that the evil of polluting rivers is very serious, and is increasing. The public are, moreover, becoming more alive to such evils, and less tolerant of their continuance, and few can doubt the time will soon come when such pollution of rivers will be no longer permitted, especially not of such as are used for the water supply of towns.

The experience of the last year has shown the danger of relying for water supply upon streams, the average yield of which is not considerably more than sufficient for ordinary wants; and the increasing demands of towns for water will render it more and more difficult to supply them, except from rivers which now receive sewage of other towns. It is therefore of immediate and increasing importance that the best mode of disposing of sewage should be determined, and the pollution of rivers prevented, as well as wasted manure saved.

It is exceedingly improbable that there is no other proper course than conveying the sewage into the sea, for a very large part of the population, both of this and of every other country reside so far inland, as to render that mode of disposing of their refuse all but impossible, and it is hard to believe that anything so nearly impracticable is absolutely necessary. It is also apparently contradictory to the usual analogies of nature, to assert that that which we know would be of enormous utility if employed, must inevitably be wasted; and any theory which involves the necessity of waste of all or nearly all of town manure, especially if it involve also very expensive works to enable us to throw it away, bears every appearance of a glaring improbability. There is no doubt the time is coming, and may be close at hand, when we shall look back at such proposals with wonder, not unmingled with contempt, and shall almost doubt that the men who recommended such folly could have lived in the nineteenth century.

Though we may be all fully convinced that either to pollute the rivers or to throw away the manure is wrong, we are very far from being agreed as to what is the right course to adopt. Several distinctly different plans have been proposed by various men entitled to respectful attention, but none is supported by such weight either of authority or of argument as to have in public estimation overwhelming preponderance over all rival schemes.

With respect to London, at once the most difficult and most important instance, and the one most pressing for immediate decision, there are several distinct plans proposed, some with no further object than merely getting rid of a nuisance. There are at least two plans with very important differences, for conveying the sewage into the sea, or so low down the river as soon to reach the sea. Several for depriving it of its offensive properties and pouring the deodorized remainder into the river. One in especial is for doing this in conjunction with embankment of the Thames to cover its mud-banks, also preventing any more sewer mud entering by first precipitating it. There are numerous proposals for manufacturing solid manure, each of which

has its supporters, and no less positive opponents. There are several plans for distributing sewage by way of irrigation, which vary widely from each other, and differ more than merely in detail. For example, one proposal is to convey all the sewage to one point, and thence carry it by a conduit towards the German Ocean, distributing all that can be disposed of on the way, and pouring the rest into the sea. Other proposals are for a conduit on each side of the Thames, while others prefer a number of channels, radiating in different directions, trusting to distribute the whole of it on to the land. There are as wide differences of opinion what to do with the sewage supposing it to have reached the land. Shall it be spread so as to stand a short time over the whole surface, and allowed to soak in, or shall it flow over the surface in a thin sheet, or be distributed by hose-pipe like a shower, so as to moisten rather than wet the soil. For and against every one of these different plans, and of modifications of each, arguments of great apparent weight are urged by men whose opinions and authority cannot be despised. Which of these is the best it is impossible in our present state of knowledge, or rather of ignorance, to decide, and any plan now determined upon must be considered experimental.

It may well be asked, is it wise to treat experimentally the greatest city of the world, and to construct works on the largest scale on which such works have ever yet been constructed, while the object aimed at is still undetermined? That such is the acknowledged fact is clear, for when the Act authorizing the expenditure for intercepting drainage works was passed, all who took part in the discussion in Parliament carefully guarded against pledging themselves either to the principle or details of any particular plan, even when conferring upon the Metropolitan Board of Works power to execute that which they have proposed. That some large experimental works are wanted to decide this momentous question is clear. Also that to construct them on a moderate scale, but large enough to carry public conviction, would be a wise and prudent course before commencing the works for disposing of the sewage from the largest city in the world.

There are already many towns of considerable size, but mere villages as compared with London, the sewage of which is conveyed into the country, but for none of which is the disposal of it fully satisfactory. At any, or if necessary at all of these, experimental works might be quickly constructed to put to the test of large and decisive experiment every feasible plan that has been or may be proposed. Merely to prove that any plan now earnestly supported is either impracticable, or too costly, or has other insuperable objection, would be worth the expense; but the hope of ascertaining and proving to general satisfaction by actual experimental result on a decisive scale, what ought to be the principle to be followed for the largest works that will ever have to be constructed, would justify as large an expenditure as can be needed for the purpose.

Although sewage has been employed for irrigation at a number of places, and in some, as at Edinburgh, for many years, the best proportion of it to use is still quite undetermined, and until that point be fixed within some moderate limit of deviation, it is impossible to form any estimate of value as to the cost of irrigation works. The difference of practice and opinion on this point is enormous, *e.g.*, at Edinburgh the sewage is, it is stated, put on in the proportion of 8000 or 9000 tons per annum per acre, and at Rugby at the rate of about 450 tons, while elsewhere very striking results have been obtained by very much smaller quantities both of liquid and of manure. While this doubt remains it is uncertain whether the sewage of London is enough for 20,000 acres or 200,000, or for some much larger or much smaller area.

No doubt the proper proportion will ultimately be determined by the experience of individuals, but if we may judge of the future by the past, it will be only in a long series of years, and as the result of innumerable trials and partial or complete failures, that the knowledge will be obtained which is wanted now to be used as soon as possible. It would evidently be much wiser to obtain the result by a series of well-devised experiments on a sufficient scale to be convincing, than either to wait for the results to be obtained by farmers' operations or to go blundering on in the execution of works on the largest possible scale, without any real and accurate knowledge to point the way.

Many years' experience would be requisite to determine *exactly* the best proportion of sewage to use, but probably a single season would enable an accurate and systematic experimenter to obtain a reasonable approximation; at least to determine whether the quantity should be hundreds or thousands of tons per acre, *i.e.*, whether the quantity of manure should be much less, or about the same, or very much more, than is now used in ordinary agriculture. The method of deciding this would evidently be to use the sewage of some town in which the water-closet system is introduced, and to distribute over different patches of land of the same quality and in the same condition, varying proportions of the same sewage, beginning with that containing a very small quantity of manure, and increasing it to the utmost limit the land will bear. The results might not be conclusive until repeated several years, but approximately the proper proportion might soon be obtained. It need hardly be remarked that at different places, and during different weather, the proportion of manure to liquid will vary very much, and more or less of liquid would have to be used according to those variations to get at true results. Here will be the chief difficulty. After approximately determining the quantity of sewage to be used per acre, the methods of distributing may be tried, by hose, by open channels, by underground pipes, by flooding, &c. Each of which has its advantages and its drawbacks, greater or less according to the quantity of liquid to be employed.

Simultaneously with such trials of sewage in its original form might be tested the effects of all the disinfectants proposed by competent authority, and it might be proved which of them affect the value of the manure and to what extent. Mr. McDougall says his disinfectant improves manure, by preventing extrication of ammonia, while the lime process, by precipitating some of the phosphates and the suspended matter, must weaken it. Trial only can prove the advantage or disadvantage of each process.

Mr. McDougall has proposed to add phosphates to the sewage to compensate for their deficiency arising from the bones of food consumed not reaching the sewage. Experiment would soon test the value of the suggestion.

The case of Leicester has been much relied on both by those who oppose and those who support the precipitation of manure from sewage. This case is not decisive, for Leicester sewage does not contain what it would do were the water-closet system universal. Nor should the cost incurred at Leicester condemn the plan, for were such a plan repeated much useless expense would be avoided, and probably more valuable results obtained. The liquid is, however, inoffensive, and so far the result is satisfactory, but it may become offensive again before it reaches the sea, and would do so if delayed in its passage.

Dr. Angus Smith and Mr. McDougall have published a proposal for depriving sewage of offensive smell and injurious properties, which may, they think, be effected for London at an annual cost of 13,000*l.* or less than one-tenth of the interest on the three and half millions now proposed to be spent. The correctness of this statement and estimate might soon be tested; if correct, their importance can hardly be overrated.

Mr. Blyth, late of the Board of Health, has patented a method of deodorizing sewage and obtaining from it a precipitate which he says is of much greater value than the cost. This statement also might soon be tested by a decisive experiment. There have been numerous proposals put forward of the same sort, none of which seem very promising, but many persons whose opinions are entitled to great respect are sanguine of ultimate success, and no one who remembers the rapid progress of chemistry is inclined to declare anything to be impossible. We must not, however, lay out an expensive plan on the mere expectation that 'something will turn up.'

If, however, any of these anticipations should be realized, the aspect of the question will be entirely changed, as there will then be no necessity for conveying sewage to a distance for the security of the public health; the only question then will be the purely commercial one, whether it will be more profitable to obtain the manure by precipitation, or to use it in the form of dilute liquid for irrigation. I will not contemplate the absurdity of throwing it away as the conclusions likely to be arrived at.

The expediency of either the general government or of local authorities engaging in works for commercial profit may be well

doubted, but that is widely different from what is now proposed—namely, conducting at the general cost experimental works on a moderate scale, yet large enough to prove or disprove each question submitted for solution, and so determine the principle on which larger works shall be founded. A possible, nay, highly probable, conclusion would be, that the best plan for immediate adoption for London would be one containing parts of several plans. For instance, disinfecting the whole of the sewage, or at least all, as soon as it reaches the larger sewers; works for conveying direct to the river a great part of the storm water from all the sewers, and possibly the whole of the sewage, previously disinfected, from the low-lying parts of the metropolis; the interception of all the sewage (except storm water) from the higher levels, and its conveyance out of the town; the separation from this portion of all solid matter that can be profitably obtained, and the conveyance of the remainder, which need not be sensibly impure, by a conduit or conduits through Essex either to the sea or low down the river, giving facilities for the application of as much of it as can be employed for irrigation on its way down.

It must be abundantly evident that the settlement of such questions for London would decide them for many other places also, and that it would be almost infinitely more economical to have the disputed points settled, or approximately settled, by decisive experiments on a moderate scale, from the results of which every place might guide itself, than to compel each place to adopt the plan which may chance to be the favourite there. No one town can or will afford to pay for the experiments required to determine the best plan, and many will simply wait in hope of having the matter settled by the experience and at the cost of others; or will consider their work done when the sewage is merely got rid of, leaving its economical employment to any individuals speculative enough to attempt it.

Probably, works for the employment of sewage will be best constructed and managed by individuals or companies; but, if so, the less risk and uncertainty attend the adventure, the more completely the best approximate plan is previously determined, the less the work partakes of speculation, and the more it resembles an ordinary commercial investment, the better will be the terms obtainable for the public. In Edinburgh, by leaving the employment of the sewage to individual enterprise, the public have lost it all.

The object to be aimed at is, with the least possible risk of the public money, to secure for the public benefit the largest amount of the profit obtainable. If too hard terms are exacted, the capital will not be raised. If too easy terms be offered, the public interest is sacrificed. The best course may be to permit any company to employ the sewage according to a plan the general principle of which is approved (allowing great elasticity for improvement of details), the company to receive the whole income up to a certain fixed rate, and to pay over, for a public improvement fund, a portion of all received above such amount. By this plan, the company would not have to pay anything at first, nor until the works proved productive beyond the stipulated

amount. Above that (however large their profits might become) the inducement to increase them would never cease, as it does if a maximum of profit be fixed, and, however great their profits might be, the public would always have their share of the benefit, and be thereby induced to facilitate their operations in every way.

In many cases the formation of such companies might be still further facilitated, without risk of the public money. For instance, unless sewage is to be employed, it must be conveyed where it will not be injurious, and the works for so conveying it must be paid for. Instead, however, of constructing them, it would be quite just, and free from risk, to contract to pay the annual interest and expenses of such works, which would otherwise be necessary to any company which will undertake to convey away and dispose of the sewage. Such annual payment would be a guaranteed income until the employment of sewage became itself profitable, when it would be repaid to the public as an improvement fund, obtained without any risk to or tax upon the public, from a source of wealth hitherto almost entirely undeveloped, and which may prove very great in amount.

On the Duty of Municipal Authorities to improve the Sanitary Condition of Towns: being an Account of the comparative Efforts of this nature which have been made in England and Scotland; together with Notes in reference to various Localities Abroad, as personally observed. By THOMAS C. ORR, *Town Councillor, Glasgow.*

IT is the paramount duty of local authorities in towns to do their utmost to prevent the numerous causes of untimely death, which prevail to so large an extent among communities congregated in masses, and most especially in the centres of manufacturing industry. These authorities should recollect, in their capacity as guardians of the public welfare, that the sacredness of human life is not only of superior importance to the commercial prosperity and wealth of the localities which they govern, but that the loss of physical strength among the working classes, engendered by the diseases incident to a bad sanitary state of their dwellings, and other surrounding circumstances, is in itself a serious diminution of the producing power, and therefore of the wealth, of the district; while the charges upon the rates, on account of widowhood and orphanage, are enormously increased by a large preventible mortality.

It is not during visitations of pestilence alone, nor chiefly, that these evils arise—they hourly occur; and it is to the losses experienced day by day from typhus and consumption, and other diseases among adults, no less than to the saving of a large proportion of that full moiety of infant life now sacrificed to the foul and noxious atmosphere in which these innocents are but too often compelled to

'ain for existence, that the attention of town councils should y directed. For when these evils are prevented, pestilence ıe same time lose its power.

respect to England and Wales, we are informed by the r-General that in the year 1857, although the death-rate was ıe average, the excess of deaths which occurred throughout ıtry from the high mortality of the unhealthy districts, as l with what would have occurred had the standard death-rate, r 1000 not been exceeded, was 91,856. In other words, nber of deaths occurred from preventible causes in a year han usual mortality. In some districts the proportion of › 1000 living is 17, in one as low as 15. In others it reaches of 30; the average for the entire country being 22 and a

examinations of these statistics made by Dr. Greenhow, it that if the annual deaths from the undermentioned diseases here exceeded the rates from the like causes in the healthier there would have been a saving of human life as follows:—

rrhœa, cholera, and dysentery, upwards of . .	28,000
ısumption	26,640
›hus	14,040
	69,480

e the numbers for one year, calculated on an average of the ars from 1848 to 1854, and the diseases are those which are propagated by foul air, foul and scant water supply, filthy s, and consequent filthy habits.

› attention was first strongly directed to this subject by :hwood Smith, in his valuable Report to the Poor-law Com- rs, in 1838.* For a long time nothing was done to remedy l. At length, however, the Public Health Act, 1848,

the Physical Causes of Sickness and Mortality capable of Removal by Measures.' This was followed, in 1839, by a second Report, in which results of the state of things described in the first were displayed; it ved, among other startling facts, that in the metropolis in the year th March, 1838, out of the total number of persons who received pa- ief (viz. 77,000, including in-door and out-door relief), 14,000 were the f fever. The facts brought to light in these reports led to the formation ne year of the Health of Towns Association, established for the purpose g alive the attention of the public and the Legislature, which had been › this subject, and for diffusing information and discussing remedies. In ing year, 1840, a Committee of the House of Commons was appointed to › inquiry. In 1841 a Royal Commission, 'The Health of Towns Com- was issued for the same purpose, and the Marquis of Normanby, then retary, carried through the House of Lords the first legislative sanitary In 1842 Mr. Chadwick produced his general 'Report on the Sanitary of the Labouring Population of Great Britain.' In 1844 the Health of mmission presented their first Report, followed in 1845 by a second ı Legislative Remedies. These inquiries having relation to the country

became available, and the local authorities of many towns in England having recognised the absolute necessity for sanitary improvement, works on an extended scale have either been executed or are in progress for alleviating the vast amount of misery which has hitherto prevailed.

By the Local Government Act recently passed, and which is practically an amendment of the Public Health Act, 1848, the powers then exercised by a subordinate member of the Government, as President of the Board of Health, are now transferred to the Secretary of State for the Home Department, and the Board has ceased to exist. The original Board established in 1848, which was a real Board, consisting of four members, had not however been superseded in 1858 by this individual functionary until they had produced in the shape of Reports a sanitary literature as extensive and interesting as it is sound, and which will long survive the existence of numerous successive Governments. As yet, sufficient time has not elapsed in any of our large manufacturing towns for instituting any fair comparison between the rate of mortality since the completion of works of drainage, water supply, &c., and that which previously prevailed,* though in several it is said to have considerably diminished. For besides that statistics for short periods, or even two or three years, are of little value, it is unquestionable that the seeds of disease when sown in infancy, and still more when fostered during many years of youthful and adult life, are not easily eradicated. Every rational mind, therefore, will anticipate that a generation or two at least must

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in general, another Royal Commission, the Metropolitan Sanitary Commission, was appointed in 1847, to consider and report on the special requirements of the metropolis. The subject having been thus carefully and thoroughly examined in all its aspects, the Legislature passed, in 1848, 'The Public Health Act,' by which special powers were conferred on local authorities for dealing with sanitary evils; but this Act has not yet been brought into operation to the extent desired or perhaps expected.

* Hamburgh has undergone considerable sanitary improvement within the last sixteen years, as a consequence of the large fire of 1842, which destroyed a considerable portion of the city. It is to be regretted that no official records exist by which the comparative mortality in these improved parts can be satisfactorily ascertained, as the authorities pay no attention to statistics. It is, however, gratifying to know that they have been rebuilt with large airy houses, furnished with good water, gas, and every modern accommodation; that the rooms are spacious and well ventilated, and the houses thoroughly drained, proper water-closets having been supplied.

In Brussels, also, considerable advances have been made in sanitary works. Within the last twelve years 113,065 metres superficial of new foot pavement have been laid down; and in the last year 3,143 metres of new drainage have been constructed. In every instance water-closets are adopted in new erections, and are pretty generally substituted for cesspools during the reparation of old buildings. 112,500 metres of piping, including all dimensions, have been laid down for the supply of the town with water, which is ample and excellent; and it is estimated that about 8,000 metres of additional piping will effectually furnish every street. Lodging-houses, as known in England, are scarcely to be found in Brussels, and over-crowding seldom extends beyond five or six persons in a room. The houses are lofty and generally well ventilated. Lastly, great efforts have been made for the suppression of offensive manufactories, but the removal of surface street nuisances has not yet received the attention which it deserves.

pass away before the full benefit resulting from these improvements can be made apparent.

Nevertheless there are not wanting the most striking effects of comparative exemption during the prevalence of general epidemics, which prove that a great saving of life has been already effected where sanitary works have been carried out. If, therefore, these were the only results to be expected — if the general death-rate extended over a long series of years be not even diminished—the bare prevention of these sudden outbreaks of rapid and extensive mortality within very short periods, would be in itself amply sufficient to repay the cost of these works; for it is during the prevalence of such epidemics that the heaviest temporary charges are thrown upon the rates, and the heaviest permanent charges on account of widowhood and orphanage entailed upon them.

To give some illustrations. During the cholera epidemic which visited England in 1832, the city of Exeter lost a great number of lives from the disease. That filth and want of pure air and water contributed greatly towards the intensity of the plague was so strongly impressed upon the minds of the town council, that effectual steps were afterwards taken to improve the sanitary condition of the city. Drains were constructed, water freely supplied, and new streets opened before the country was again visited in 1849, on which occasion Dr. Shapter states that very few deaths from cholera took place in Exeter,* and these in districts which had been least acted upon; whilst in the neighbouring town of Crediton, where no improvement had taken place, the mortality was greater in 1849 than in 1832.

The effect of mere local temporary cleansing, in anticipation of an epidemic, was very forcibly exhibited at Tynemouth in 1853. The measures taken are described by Dr. Greenhow, then Chairman of the Local Board of Health, which was established in that town in 1851. In the space of two years little could be done in the way of permanent works. The regulation of lodging-houses and slaughter-houses, the removal of surface nuisances, and the ventilation and drainage of new buildings, had however been attended to. On the appearance of cholera in England in the autumn of 1852, a thorough cleansing of the town, lime-washing of courts, trapping of drains, &c., was vigorously executed, and the like measures renewed in the following summer when the epidemic appeared at Newcastle, eight miles distant. The consequence was, that whilst at Newcastle and Gateshead nearly 2000 deaths took place in a few weeks, and thousands of persons fled thence to Tynemouth for safety, four fatal cases only, originating in the borough, occurred at Tynemouth.

The total expense of these precautionary measures was under 200*l.* What amount of pecuniary loss was consequent upon the slaughter at Newcastle it would be difficult to calculate. During the previous epidemic of 1848-9, Tynemouth, which then suffered more than Newcastle, lost 463 persons; and it was calculated that the cost of

* Fever has also much diminished.

that epidemic to the rate-payers would amount to upwards of 13,000*l.** (See Report on Cholera, G. B. H., Table A., p. 150.)

Results perhaps still more striking were shown at Baltimore, U.S., from similar precautions during the American cholera epidemic of 1849-50, as described by Dr. Wynne, in his valuable Report,† and also to myself, by the medical officers on the spot.

Symptoms of the epidemic influence were sensibly felt over the whole city of Baltimore in the middle of June, but no actual case of cholera occurred. At length, on the 1st of July, the disease broke out with violence at a workhouse two miles off, and, after very careful examination, a vast mass of filth, which had been overlooked, was discovered outside the north wall, in a marshy spot containing the overflowing of cesspools, pigsties, and the whole refuse of the establishment. All those who were attacked occupied rooms facing the nuisance; all on the southern side escaped. The place was cleansed, and the epidemic ceased.

In Newcastle, in 1848-9, the converse of this happened; instead of the town escaping, whilst the neighbouring filthy locality was affected, the cholera raged with violence at Newcastle, save in one clean spot, the barracks; where, under the intelligent direction of its officers, premonitory diarrhœa only occurred, without one case of cholera. Well may we exclaim, with the enthusiastic Fergusson, 'Places, not persons, constitute the rule of its existence! Places, not persons, comprehend the whole history, the etiology of the disease!'

Dr. Wynne justly remarks, that 'If these facts arouse the public authorities of large towns to the immense responsibility under which they hold their offices, they have not been recorded in vain.'

The Nuisances Removal Act has conferred on parochial authorities in England, where no systematic organization exists, powers which have been highly useful in numerous small parishes. But it is not so actively put in operation as it might be in many places.

As a Scotchman, I regret being compelled to admit that the progress of sanitary reform in Scotland has been much more slow than it should have been.

Our national love of independence, having prevented the constitution of any central body, either to lead, guide, or instruct the local authorities in this science, has encouraged the exercise of the free right of ignorance to continue the destruction of its thousands by premature decay. The state of Glasgow may be described as a sample of the prevalent negligence‡ concerning these matters in Scotland.

The city of Glasgow occupies a very unsatisfactory position, in regard to mortality and sanitary arrangements.

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* Since 1854, Tynemouth has been effectually sewered by Mr. Rawlinson, to the entire satisfaction of the inhabitants, at a cost of about 13,000*l.*

† Appendix (C) to the 'Report on Cholera' by the English Board of Health.

‡ The drainage of Edinburgh has been somewhat improved of late; 40,000*l.* having been expended during the last five years in the construction of sewer

In 1801 the population was 77,385, while in 1851 it had reached 360,138, being five times as many as fifty years before. The present population may be estimated at upwards of 400,000.

The average annual mortality during the last seven years has been 31·2 per 1000 of the living, calculated upon the census of 1851; but allowing for the subsequent increase of population, this proportion will probably be reduced to about 30 per 1000. In 1857, 54 per cent. of the total mortality was among children under five years. Compared with most manufacturing cities, this death-rate is excessive.

Moreover, it is commonly admitted that the infantile mortality tests the health of a city, and, in this respect, Glasgow is thus painfully prominent. This alarming feature and its cause are thus lucidly commented on by the Registrar-General of Scotland:—

'Take, for instance, Glasgow and Perth. Between the Census of 1841 and 1851, Glasgow increased at the rate of 23 per cent.; Perth at the rate of 14·3 per cent. The proportion of children under five years to the total population was in Glasgow, at last Census, 12·3 per cent., in Perth, 11·8 per cent.; a difference by no means considerable. The children under five years of age during the past year were cut off in Glasgow at the rate of 119 out of every 1000, while in Perth children at the same age only died at the rate of 55 out of every 1000 living, or less than one-half of the Glasgow proportion. It is not,' he adds, 'too much to expect that improved *sanitary arrangements*, combined with the education of the lower classes of females in household duties, would reduce the infantile mortality in Glasgow to nearly the same ratio as in Perth, and by that means alone save annually to Glasgow somewhere about three thousand lives.'

It is difficult to realize the fact, that 3000 lives are culpably lost to Glasgow every year. The results, domestic, social, and pecuniary, involved in that frightful waste, would form a study in themselves. The Registrar-General distinctly connects this lamentable result with defective sanitary arrangements, and it is submitted that the following facts will fully corroborate that opinion.

No accurate description of the drainage can be obtained. There is no general plan of the city sewerage. I have ascertained that hundreds of drains are lying unknown, having been choked up, and thereby become nuisances of the worst description; and the older, or eastern parts, as Bridgeton, have no drainage whatever. Instead of main public sewers having been constructed which might be regularly flushed, the private drains existing in Glasgow fall into the Kelvin, Pinkston, Camlachie, and Molendinar Burns, which were originally clean open streams, running through the city, but now, having been partially covered, receive the contents of numerous drains, thus forming a species of sewers than which nothing could be worse.

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mains. The Lodging House Act for the city is stringently enforced, and the custom of thoroughly flushing and lime-washing all the closes once a year has been introduced with great advantage. Fever and disease generally among the lower classes have been much reduced in consequence. In other respects, however, the 'Nuisances Removal Act' is almost a dead letter.

The water supply has long been complained of for its impurity and insufficiency, especially where the poor are huddled together in their wretched dwellings, amid foul air and filth.

This will be partially remedied by a further supply from a new source, which is in progress of being brought into the city; but *as the drainage now stands*, even this blessing may be vitiated, for Dr. Strang, the eminent and learned Chamberlain of Glasgow, in his recent paper before the British Association on the Water Supply affirms, 'That an abundant supply of water is in short but a limited benefit, except provision be at the same time made for a perfect and profitable riddance of the increased sewage which it invariably creates.'

The chemical works in and near the city form one of the most unfavourable features of Glasgow, throwing over it an atmosphere unwholesome and pernicious. In certain states of the weather the odour is intolerable, which, added to the other evils, sufficiently accounts for the excessive infantile mortality. As Glasgow is conspicuously afflicted with this chemical nuisance, it may be well to describe the largest of these works—viz., those at St. Rollox.

These secret works are situated on the north side, and within the parliamentary boundary of the city. They are surrounded by a large population; extend over no less than fifty acres of ground, occupying an area about equal to the size of the West End Park, the only park provided for the influential classes of Glasgow; and comprise within their enclosures a space of about 80,000 square yards nearly covered with buildings. Both acids and alkalies are produced here; chiefly sulphuric acid, chloride of lime, soda, soap, &c. There is a huge chimney, forty feet in diameter at the base, perpetually emitting, by the agency of enormous draught flues, conducted into it from upwards of one hundred furnaces, &c., the fumes of chemical preparations. These fumes have been declared by Professors Christison and Gregory, two of the most eminent chemists, to be most deleterious. The vapours arising from an immense number of evaporating pans are even more injurious. The chemical refuse is partly run off into a drain leading into St. Enoch's Burn, and thence conveyed through the centre of the city into the River Clyde. Part of this refuse runs through the Pinkston Bog into Pinkston Burn,* thus passing through the north-west quarter of the city into the River Kelvin, at South Woodside, before reaching the Clyde.

There are other chemical works throughout the city, which, in proportion to their size, are equally hurtful.

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* Mr. Napier, in his 'Report to the Town Council,' says, 'The colour of the water passing through the burn is constantly changing, and ranges from milk white to ink black, and occasionally red, green, and yellow. It will thus be observed that the burn differs materially from an ordinary common sewer, being the receptacle for the waste and refuse of a variety of chemical manufactures, distillers, dyers, &c.; so that its composition is constantly varying from the combination of different ingredients coming into contact, which are ejected from these different works. The smell coming from the water also differs both in intensity and kind, and seems a mixture of all abomination altogether indescribable, and the temperature of the water being generally from 70° to 90° Fahrenheit, the

From the books of the Glasgow Royal Infirmary it appears that, whilst the number of typhus cases sent to the Infirmary from the Barnhill Poor-house for the last five years was only nine, seventy-four were sent from the Town's Hospital during the same period. The difference between the number of poor in both parishes is not great. What is the cause of this excess of typhus in the Town's Poor-house?

The deaths in Glasgow, from cholera alone, in 1832, were 14 per 1000 of the population. In 1848-9, in spite of the vigorous means then adopted for seeking out and treating all cases in the first stage of the disease, the mortality from the epidemic reached 10·6 per 1000; which, taking these precautionary measures into consideration, can only indicate a worse sanitary state of the city than in 1832. In 1853-4, the epidemic mortality—notwithstanding all the former experience of the means for mitigating the pestilence—yet further increased to upwards of 12 per 1000 of the population.*

I have endeavoured shortly to exhibit the chief causes of the excessive mortality of Glasgow. Doubtless there are minor evils, but these, the most conspicuous, are preventible by the authorities, if some comprehensive measures for the thorough improvement of the city be adopted. Dr. Sutherland, in his Report to the General Board of Health on Cholera in 1848-9, affirms that 'nothing short of permanent sanitary improvement, of a very different kind from any hitherto carried out, will be sufficient to save the lives of the poor, and to protect the public from the heavy local expenditure arising from preventible disease.'

All the expense of complete drainage, pure water, improved dwellings, and an atmosphere purged from chemical nuisances, would be more than paid by the saving of rates arising from widowhood and orphanage in Glasgow: but 3000 lives annually lost from these causes, in addition to the repeated frightful epidemic mortality, have yet failed to arouse the authorities; and Dr. Sutherland's remarks are as true and necessary *now* as they were in 1848.

As a favourable contrast with the state of things in Glasgow, we

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gases are mixed with watery vapour, producing a most sickening and, I should say, disease-predisposing effect; much of the smell given off by the waters in the burn is caused by acids coming into contact with a sulphuretted alkali, which is a constant ingredient in the burn, and thus causing an evolution of sulphuretted hydrogen. The quantity of solid matters floating in the water and depositing in the Kelvin and Clyde, calculated by taking samples of the water every twenty-four hours, amounts to 12,775 tons per year, which will be increased one-third by the oxidation and consequent precipitation of the organic matters held in solution before it reaches the sea. Thus the matters coming down the Pinkston Burn will form 16,000 tons.' This hideous description holds in degree equally true of St. Enoch's Burn, the other source of escape for the refuse of St. Rollox, which has been known to form deposits in the harbour of such an extent as even to interfere with the berthing of the vessels.

* The mortality from cholera at Brussels was 7·1 per 1000 in 1849, and in 1853-4 it was 3·3 per 1000.

may point to the efforts which have been made, and some of the improvements already effected, in London.

The substitution of water-closets and proper house-drainage in lieu of cesspools had been carried out to a considerable extent by successive commissioners of sewers, when, under an Act for the Local Management of the Metropolis, in 1855 (since amended), these commissioners were superseded by an elective board, which is charged with the purification of the river Thames, by means of a grand scheme for the entire main and subsidiary drainage of the metropolis, and for the execution of which the Board are empowered to raise three millions sterling.

A few years since an Act was passed under which the several water companies have been compelled to improve the quality of their supplies. Before the improvement had been effected by all of these companies, a remarkable sanitary experiment, described by the medical officer of the Board of Health, was accidentally made during the cholera epidemic of 1853-4. In a large southern district of the metropolis 'there were then distributed two different qualities of water, so that one large population was drinking a tolerably good water, another population an exceedingly foul water; while in all other respects these two populations, being intermixed within the same districts, and even in the same streets of these districts, were living precisely under similar social and sanitary circumstances. And when, at the end of the epidemic period, the death-rates of these populations were compared, it was found that the cholera mortality in the houses supplied by the bad water had been three and a half times as great as in the houses supplied by the better water.'

During the previous epidemic of 1848-9 these circumstances had been in a measure reversed. The company which had then supplied the worst water had been the first to change its source of supply; consequently their tenants suffered most from the first, but far less from the second visitation. This part of the district lost, in 1848–9, 125 in every 10,000 persons; in 1853-4, only 37. The other part, rather better supplied at first, but not as yet improved in the interval, lost 118 per 10,000 the first time, 130 the second.

The inhabitants of London may now congratulate themselves that water extensively polluted by sewage and the refuse from gas-works, soap and manure manufactories, &c., is happily no longer brought into their houses.

In particular sites of the metropolis other experiments have been no less remarkable. An Association for Improving the Dwellings of the Industrious Classes* has been for some years in operation. They have erected large buildings with proper sanitary arrangements, for the accommodation of from 60 to 110 families each, in different districts, in localities inhabited by the same class. In all other social conditions these tenants remain as before. They number at present an aggregate population of upwards of 2000; but whilst the average

* Offices, 19, Coleman Street, City.

annual mortality of the whole of London is 25 per 1000, the mortality in the oldest and largest of these buildings, on an average of seven years, from 1850 to 1857, has been 17 per only 1000. There is in one of the suburbs of London a place called the Potteries, wherein the mortality for the year ending March, 1853 (not an epidemic year) reached 40 in the 1000, and the infant mortality was seven times as great as in the 'Metropolitan Buildings.' In the whole of London the death-rate among infants at the same period was five times greater than in the Model Dwellings.

Only three deaths from cholera have ever occurred in these buildings (and these in one family not sufficiently nourished) during both of the destructive London epidemics above referred to. Typhus has rarely, if ever, entered the doors.

Another signal instance of the beneficial effect of sanitary works has occurred in a place called Lambeth Square, containing thirty-seven houses. In 1851 (ordinary year) fever had carried off twenty-four out of 434 persons (or 55 per 1000) inhabiting these houses, then in the most wretched sanitary condition. A complete revolution in this respect was effected by the Commissioners of Sewers, and for the year ending November, 1853, the deaths had fallen from fifty-five to thirteen in the 1000.*

Dr. West in his *Lectures on the Diseases of Infancy*, bears testimony to the extreme unhealthiness of the Lambeth district; his experience of severe infantile diarrhœa having been derived almost exclusively from that neighbourhood, chiefly caused by the inferior drainage, &c., of this locality, as compared with Finsbury, in which the children are alike subject to the evils of improper food, and close, ill-ventilated dwellings.

A striking instance of improvement, by improved ventilation alone, is related by Dr. Collins, late master of the Dublin Lying-in Hospital. Seventy-four years ago it was found, that out of 17,650 infants born in the hospital, 2944 had died within a fortnight after birth, or seventeen per cent.; the very large majority by 'nine-day fits.' Dr. Clarke, then master, considering foul air the chief cause, made arrangements for free circulation, at all times, beyond the control of the nurses. The mortality immediately fell to five per cent. on the births. After further improvements under Dr. Collins, it decreased, on an average of seven years, to 1·7 per cent.

Dr. Burrell, who, when principal medical officer of Malta, made a very elaborate analysis of the causes which led to the plague of 1813* in that island, states that the houses in Valetta are constructed over shops, separately tenanted, with an interior ventilating shaft communicating by windows with all except the ground-floor, which has no

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* By the simple and inexpensive remedy of paving some of the courts and alleys of London, thus diminishing dampness and noxious exhalations, much benefit has been obtained. The vast population of children in many town districts have no other playgrounds but the interspaces between the houses of these courts. They now play on dry and comparatively clean ground, and the improvement in their health and general aspect has been especially noticed by Mr. Liddle, Medical Officer of Whitechapel.

through ventilation. A careful examination of the plague returns showed, that, as a consequence, nearly all the inhabitants occupying floors above the ground escaped. But at Marseilles, in 1772, in the district of Rue Lechelle, which was chiefly affected by plague, the dwellers on every floor were attacked indiscriminately. Dr. Burrell lately visited this locality to seek an explanation, and found that the houses in that district were built back to back, so that all alike suffered from the same defect as the inhabitants of the ground-floors in Valetta.* All this I can confirm from personal observation.

As under the auspices of the Metropolitan Board, new parks are being formed and new streets opened up through various crowded neighbourhoods, it is hoped that the benefits of more systematic ventilation will in time be secured for London.

Meantime other important improvements have been put in operation chiefly under the direction of Government.

By the Act for the prevention of smoke in steamboats and factories, the execution of which is entrusted to the Home Secretary, not only has the atmosphere been relieved of much soot, but many noxious trades have been suppressed, though much more requires to be done. One visible effect of this measure has been that trees and flowers have already become more healthy. The rose, which a few years ago could not thrive in London, has since been successfully re-introduced into the heart of the city.

The Common Lodging Houses Act, passed in 1851, is carried out under the superintendence of the Metropolitan Police. 'Before they were under regulation,' says Dr. Southwood Smith, 'twenty cases of fever have been received into the London Fever Hospital from a single lodging-house in the course of a few weeks.' There are 1247 of such houses registered, capable of accommodating 28,000 lodgers. During the seven years since the regulations have been enforced, the Police Commissioners report that twelve cases of typhus have occurred amongst them, three of which proved fatal.†

Similar effects have been produced by the operation of this Act at Wigan, Wolverhampton, Morpeth, Birmingham, Chorley, Carlisle, and other places, although its provisions are much neglected in others.

A striking result at Cardiff is related by Mr. Paine, the medical officer. In the same locality of the town are common lodging-houses,

* Appendix 4 to the Second Report on Quarantine by the General Board of Health.

† 'Before this enactment,' says the assistant-commissioner, 'the evils existing in the lodging-houses of the poor were beyond description. Crowded and filthy, without water or ventilation, without the least regard to cleanliness or decency, they were hotbeds of disease, misery, and crime. At a house, No. 17, L—— C——, St. Giles's, in one room ten feet square, wherein three persons would be allowed by the regulations now enforced, seven men, nine women, and one child, were found huddled together in a most filthy state, the bedding dirty beyond description, no partitions or ventilation. As many as 250 persons were lodged in one house at Whitechapel, having one closet only, and that in the most filthy state. The keeper was summoned and fined, and the house is now registered, and ninety-nine persons are properly accommodated.'

'During the period of my observation of the sanitary condition of Shoreditch,'

and lodging-houses not common. The first, which suffered frightfully from cholera in 1848-9, having in the meantime been placed under regulation, had few deaths in 1853-4. The second, which did not suffer nearly so much during the former epidemic, and were too respectable to be placed under the Act, experienced a severe visitation, and had many deaths during the latter.

Lastly, by virtue of the powers contained in the Burials Act, 15 & 16 Vic. c. 85, and 16 & 17 Vic. c. 134, the Secretary of State has practically put an end to intramural interments, not only in London, but in most towns throughout England and Wales, numbering a population of 5000 and upwards. In this respect, a silent sanitary revolution has been effected almost without observation; and Mr. Baker, who has published a work on the law of burials, states, that almost every town of any consideration in England either possesses, or soon will possess, its extramural cemetery. A large majority of the smaller parishes—although such as have been visited are sometimes found to contain graveyards in the very worst state—have not as yet sought the assistance of the governing authority; and no similar reform has been extended either to Scotland or Ireland.* Acts of Parliament, indeed, have been obtained for both countries, conferring on the *local authorities* powers similar to those contained in the English Acts; but as the Secretary of State cannot move in Scotland without a representation from the sheriff, on the requisition of the parochial board, and as in Ireland the Lord Lieutenant has not directed any general inquiries to be made, these statutes are as yet practically a dead letter. A short amending Act, giving the Secretary of State power to act in the three countries alike, would be a great boon to the community both in Ireland and Scotland.

When all the projected sanitary improvements in the metropolis and the principal towns of the kingdom shall have been completed, experience has shown that we may reasonably expect an immunity from the terrible scourges with which we have from time to time continued to be visited in common with less civilized nations. And it is hoped that similar advantages will be extended to our colonies and dependencies, as have been given to Gibraltar. The garrison formerly suffered periodically from epidemics of yellow fever, *e.g.*, in 1804,

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says Dr. Barnes, 'no case of fever or other disease traceable to defective sanitary arrangements has been brought under my notice, as having arisen in a house under the operation of the Common Lodging Houses Act. As fever cases are not at all uncommon in other houses in the immediate vicinity of registered houses, I cannot but attribute the immunity of these latter to the excellent provisions for cleanliness, the prevention of overcrowding, and the insuring a due supply and renewal of air enforced.' Mr. Cogan, medical officer of Greenwich, writes:—'It is highly necessary that this Act should be extended to the class of lodging-houses inhabited by many families, but only one family in each room; these are the only houses now where we get the old types of fever that used to pervade the lodging-houses.' And Dr. Arthur observes, 'The Common Lodging Houses Act, carried out as it is in this neighbourhood (Deptford), I consider to be one of the greatest boons that has been conferred by the Legislature, not only on the poor, but on the ratepayers in general.'

* Very gross cases of over-crowded graveyards, both in Scotland and Ireland, have lately been noticed in the public journals.

1810, 1813, 1814, and 1828. The last visitation was so severe, and so costly to the Government,* that Secretary Sir George Murray directed a board of inquiry to be held into the causes of the disease, and, from the evidence laid before him, he was induced to order a thorough draining and cleansing of the place. The consequence has been that no epidemic has since happened there to this day. New Orleans, on the contrary, in about the same latitude on the other side of the Atlantic, has remained in its wonted filthy condition; and outbreaks of yellow fever frequently recur. So also in a remarkable way, twelve degrees further south, at the Danish island of St. Thomas, from the same neglect of remedial sanitary measures. This I observed when lately visiting both places.

When, in addition to the great saving of human life effected by the execution of sanitary measures, we consider the saving of expense from the diminution of pauperism and crime, arising out of the better and purer social habits which these measures promote, we may hope that no civilized community will much longer overlook the expediency of sanitary improvement.

Notes on the Sanitary Condition of Hospitals, and on Defects in the Construction of Hospital Wards. By FLORENCE NIGHTINGALE.

PART I.

FEELING very desirous of contributing whatever aid I can to improvement in Hospital construction and administration—especially at this time, when several new hospitals are being built—it has occurred to me to transmit a few notes on defects which have come under my own observation in an extended experience of these institutions.

No one, I think, who brings ordinary powers of observation to bear on the sick and maimed can fail to observe a remarkable difference in the aspect of cases, in their duration and in their termination in different hospitals. To the superficial observer there are two things only apparent—the disease and the remedial treatment, medical or surgical. It requires a considerable amount of experience, in hospitals of various constructions and varied administrations, to go beyond this, and to be able to perceive that conditions arising out of these have a very powerful effect indeed upon the ultimate issue of cases which pass through the wards.

It is sometimes asserted that there is no such striking difference in the mortality of different hospitals as one would be led to infer from their great apparent difference in sanitary condition. There is, undoubtedly, some difficulty in arriving at correct statistical comparison to exhibit this. For, in the first place, different hospitals receive very

* About 45,000*l.* has been estimated, as exclusive of several important items of expenditure. (See Report on Quarantine, G. B. H., p. 49, note.) It has been estimated by Mr. Martin, from statistics furnished by Sir A. Tulloch, that the pecuniary loss during the forty years from 1815 to 1855 from preventible mortality among European soldiers serving in India amounted to ten millions sterling.

different proportions of the same class of diseases. The ages in one hospital may differ considerably from the ages in another. And the state of the cases on admission may differ very much in each hospital. These elements, no doubt, affect considerably the results of treatment, altogether apart from the sanitary state of hospitals.

In the next place accurate hospital statistics are much more rare than is generally imagined, and at the best they only give the mortality which has taken place *in* the hospitals, and take no cognizance of those cases which are discharged in a hopeless condition, to a much greater extent from some hospitals than from others.

We have known incurable cases discharged from one hospital, to which the deaths ought to have been accounted, and received into another hospital, to die there in a day or two after admission.

Again, the sanitary state of any hospital ought not to be inferred solely from the greater or less mortality. If the function of a hospital were to kill the sick, statistical comparisons of this nature would be admissible. As, however, its proper function is to restore the sick to health as speedily as possible, the elements which really give information as to whether this is done or not, are those which show the proportion of sick restored to health, and the average time which has been required for this object; a hospital which restored all its sick to health after an average of six months' treatment, could not be considered as by any means so healthy as a hospital which returned all its sick recovered in as many weeks. The proportion of recoveries, the proportion of deaths, and the average time in hospital must all be taken into account in discussions of this nature, as well as the character of the cases and the proportion of different ages among the sick.

Hospital mortality statistics* give little information on the point, because there are elements in existence of which such statistics take no cognizance. In one set of metropolitan hospitals, for example, I find the mortality about two and a-half per cent. upon the cases treated, while in other metropolitan hospitals the deaths

* In Paris an Annual Report of the Hospitals ('Compte Moral Administratif') is published. But the only useful statistical information to be gleaned from it is the number of *sous* each patient has cost. For, although it gives the numbers of adults, male and female, and of children who have been admitted, and who have died during the year, yet this in itself tells little.

If the Hospitals of London and of Paris would give us the information contained under the eight following heads, so important would be the knowledge thereby conveyed, that it would be worth while to go back for many years to construct such tables, and to continue the same forms hereafter.

1. The numbers admitted for each decennial period of age for each sex per annum.
2. The numbers, similarly arranged, remaining in hospital at the end of the preceding year.
3. The numbers dead for each sex at each decennial period of age per annum.
4. The numbers discharged cured similarly arranged per annum.
5. The numbers discharged incurable similarly arranged per annum.
6. The numbers remaining in hospital at the end of the current year similarly arranged.
7. The *diseases* remaining, admitted, died, cured, discharged incurable, and remained, arranged for each sex and each decennial period of age per annum.
8. The duration of cases, similarly arranged.

reach from about twelve to sixteen per cent. To judge by the mortality in these cases would be most fallacious. Because in the first class of hospitals every ailment, however slight, constitutes a title to hospital admission, while, in the latter class of hospitals, special diseases only, at all times accompanied by a high rate of mortality, are admitted. Hence the duration of the cases admitted, and the general course and aspect of disease afford important criteria whereby to judge of the healthiness or unhealthiness of any hospital in addition to that afforded by the mortality statistics. Besides, careful observers are now generally convinced that the origin and spread of fever in a hospital, or the appearance and spread of hospital gangrene, erysipelas and pyæmia generally, are much better tests of the defective sanitary state of a hospital than its mortality returns. But I would go further, and state that to the experienced eye of a careful observing nurse, the daily, I had almost said hourly, changes which take place in patients, and which changes rarely come under the cognizance of the periodical medical visitor, afford a still more important class of data, from which to judge of the general adaptation of a hospital for the reception and treatment of sick. One insensibly allies together restlessness, languor, feverishness, and general *malaise*, with closeness of wards, defective ventilation, defective structure, bad architectural and administrative arrangements, until it is impossible to resist the conviction that the sick are suffering from something quite other than the disease inscribed on their bed-ticket—and the inquiry insensibly arises in the mind, what can be the cause? To this query many years' experience of hospitals in various countries and climates enables me to answer explicitly as the result of my own observation, that, even admitting to the full extent the great value of the hospital improvements of recent years, a vast deal of the suffering, and some at least of the mortality in these establishments, is avoidable.

What, then, are those defects to which such results are to be attributed?

I should state at once that to original defects in the sites and plans of hospitals, and to deficient ventilation and overcrowding accompanying such defects, is to be attributed a large proportion of the evil I have mentioned.

The facts flow almost of necessity from ascertained sanitary experience. But it is not often, excepting perhaps in the case of intelligent house surgeons, that the whole process whereby the sick, who ought to have had rapid recoveries, are retained week after week, or perhaps month after month, in hospital, is continuously observed. I have known a case of slight fever received into hospital, the fever pass off in less than a week, and yet the patient, from the foul state of the wards, not restored to health at the end of eight weeks.

The defects to which such occurrences are mainly to be attributed are four:—

1. The agglomeration of a large number of sick under the same roof.
2. Deficiency of space.

3. Deficiency of ventilation.
4. Deficiency of light.

These are the four radical defects in hospital construction.

But on the very threshold of the subject we shall probably be told that not to these defects, but to 'contagion' and 'infection,' is much of the unhealthy condition of some hospitals attributable, at least so far as concerns the occurrence of zymotic diseases. On the very threshold, therefore, we are obliged to make a digression in order to discuss the meaning of these two familiar words, and to lay these spectres which have terrified almost all ages and nations.

This is the more necessary, because on the exact influence exercised by these two presumed causes of hospital sickness and mortality depends to a great degree the possibility of our introducing efficient hospital attendance and nursing. Unfortunately both nurses* and

* To show the great importance of this point I give the following tables, kindly prepared by Dr. Farr, from returns furnished to me with the greatest readiness by fifteen of the metropolitan hospitals. Table I. gives the ages of living and dying among the nursing staff. Table II. gives the mortality from zymotic diseases, and the comparison between the nurses' mortality and the mortality of the female population of London.

TABLE I.—*Numbers and Ages of Matrons, Sisters and Nurses (Living and Dying) in Fifteen London Hospitals.*

(*Names of the Hospitals,—St. Mary's; St. George's; Westminster; Charing Cross; Middlesex; University College; Royal Free; King's College; St. Bartholomew's; London; Guy's; St. Thomas'; Small Pox; Fever; and Consumption.*)

LIVING (1858).

	Total of all Ages.	Total.		Specified Ages of the Living, March, 1858.											
		Ages Specified.	Ages *not* Specified.	Under 20.	20.	25.	30.	35.	40.	45.	50.	55.	60.	65.	70 and up.
Matrons, Sisters and Nurses	521	391	130	1	10	45	55	93	64	59	34	18	8	4	...
Matrons and Sisters ...	118	90	28	...	...	4	11	22	16	20	8	5	3	1	...
Nurses	403	301	102	1	10	41	44	71	48	39	26	13	5	3	...

DYING (1848—57).

	Total of all Ages.	Total.		Ages of the Dying.											
		Ages Specified.	Ages *not* Specified.	Under 20.	20.	25.	30.	35.	40.	45.	50.	55.	60.	65.	70 and up.
Matrons, Sisters and Nurses	79	79	...	...	...	4	11	8	18	8	10	7	6	2	5
* Matrons and Sisters (so distinguished) ...	19	19	...	...	...	...	2	1	4	...	3	2	1	1	5
Nurses	60	60	...	...	...	4	9	7	14	8	7	5	5	1	...

* In the returns of deaths, four Hospitals do not distinguish the Matrons and Sisters from the Nurses, and in this Table they are included with the Nurses.

medical men, as well as medical students, have died of zymotic diseases prevailing in hospitals. It is an all-important question to decide whether the propagation of such diseases is inevitable or preventible. If the former, then the whole question must be considered as to whether hospitals necessarily attended with results so fatal should exist at all. If the latter, then it is our duty to prevent their propagation.

The idea of 'contagion,' as explaining the spread of disease, appears

TABLE II.—*Table of the Mortality of Matrons, Sisters, and Nurses, at different Ages, in Fifteen London Hospitals, compared with the Mortality of the Female Population of London.*

Ages.	Matrons, Sisters, and Nurses (1848—57).		Female Population of London.	
	Annual Rate of Mortality to 1000 living at the respective Ages.			
	By *all* returned *Diseases.*	By *Zymotic* Diseases.	By *Zymotic* Diseases (1848—57).	By *all* returned *Diseases* (1848—54).
25 to 35	15.89	9.53	2.19	9.92
35 — 45	15.80	10.94	2.73	14.65
45 — 55	17.80	11.87	3.17	20.36
55 — 65	46.36	14.26	4.94	36.02

The fatal zymotic diseases included in this table are fever and cholera, and it will be seen that these two diseases occasioned nearly 50 per cent. of the total mortality among the nursing staff as against 16 per cent. among the London female population. This single fact is quite enough to prove the very great importance of hospital hygiène. The calculated total mortality is also very much higher among the nurses, even if we assume that the deaths in the returns are all the deaths due to hospital nursing, which is very doubtful. If we assume that the non-zymotic mortality among nurses ought to be the same as it is among the female population, and if to this we add the zymotic deaths among nurses, we find the total mortality among nurses to exceed the total mortality among the female population of the metropolis by about 40 per cent. The loss of a well-trained nurse by preventible disease is a greater loss than is that of a good soldier from the same cause. Money cannot replace either, but a good nurse is more difficult to find than a good soldier.

The data from which these tables have been deduced are imperfect, and it would be very desirable if in future all hospitals would keep a register of nurses. The following form would be one well calculated to give the required information. The subject is of additional importance in connexion with the proper working of a Superannuation Fund for nurses:—

Form of Register of Sisters and Nurses in *Hospital. Commenced from January* 1, 1859.

No.	Name.	Age when first Appointed.	Date.		State of Health on Leaving the Service: and, if Ill, the Disease, its Duration, and probable Cause.	Date of Death, Cause of Death, and fatal Disease.
			Of Appointment.	Dismissal, Resignation, or Superannuation.		
1	Jane Jones. (Sister.)	25	June 6, 1858.	Resigned August 6, 1858.	In good Health.	
2	Mary Evans. (Nurse).	29	April 2, 1848.			July 7, 1854, Typhoid Fever, after 11 days' illness.

to have been adopted at a time when, from the neglect of sanitary arrangements, epidemics attacked whole masses of people, and when men had ceased to consider that nature had any laws for her guidance. Beginning with the poets and historians, the word finally made its way into medical nomenclature,* where it has remained ever since, affording to certain classes of minds, chiefly in the southern and less educated parts of Europe, a satisfactory explanation for pestilence and an adequate excuse for non-exertion to prevent its recurrence.

And now, what does 'contagion' mean? It implies the communication of disease from person to person by *contact*. It pre-supposes the existence of certain germs like the sporules of fungi, which can be bottled up and conveyed any distance attached to clothing, to merchandise, especially to woollen stuffs, for which it is supposed to have a particular affection, and to feathers, which of all articles it especially loves—so much so, that, according to quarantine laws, a live goose may be safely introduced from a plague country; but if it happen to be eaten on the voyage, its feathers cannot be admitted without danger to the entire community. There is no end to the absurdities connected with this doctrine. Suffice it to say, that in the ordinary sense of the word, there is no proof, such as would be admitted in any scientific inquiry, that there is any such thing as 'contagion.'

There are two or three diseases in which there is a specific virus, which can be seen, tasted, smelt, and analysed, and which in certain constitutions propagates the original disease by inoculation—such

* The history of the doctrine of 'Contagion' is given by Dr. Adams in his very learned translation of the works of Paulus Ægineta, Vol. 1, p. 284—(Sydenham Society). He says, in his comment, 'the earlier ancient authors appear to have entertained no suspicions of contagion as a cause of febrile or of other complaints.

'The works of the fathers of history, and of medicine, have likewise been ransacked in vain for any traces of the doctrine of contagion.'

Thucydides, and after him several of the Latin poets describe the plague of Athens, which appears to have been a form of Dysentery, as communicable from person to person. The later Greek historians contain allusions to the infectious nature of certain diseases; but Procopius, though cognizant of one of the greatest pestilences on record, was a non-contagionist.

Virgil's allusions to contagious diseases among cattle will be found in Ecl. I. Georg. III., 464.

Aretæus appears to be the first medical author who believed in contagion. Galen seems to have held the doctrine of infection. Of the later Greek and Arabian medical writers, some were contagionists, and others make no allusion to the subject. Dr. Adams states, in regard to plague, a disease which, in later times, has been considered as the very type of all 'contagious' pestilences, 'The result of our investigations into the opinions of the ancients on this subject leads us to the conclusion that all, or at least the most intelligent of the medical authorities, held that the plague was communicated not by any specific virus, but in consequence of the atmosphere around the sick being contaminated with putrid effluvia.'

The obvious practical result of this view of infection is, that abundance of pure air will prevent infection. All my own hospital experience confirms this conclusion. If infection exists, it is preventible. If it exists, it is the result of carelessness, or of ignorance. 'Contagion,' as a doctrine, on which distinct practical proceedings have been taken, appears to be of very modern invention; but it has been not the less injurious to civilization and humanity, from the loss of life which has from time to time followed from the practices which it inculcates, and from the immense tax which it has entailed upon commerce,

as small-pox, cow-pox, &c. But these are not 'contagions' in the sense supposed.*

The word 'infection,' which is often confounded with 'contagion,' expresses a fact, and does not involve a hypothesis. But just as there is no such thing as 'contagion,' there is no such thing as *inevitable* 'infection.' Infection acts through the air. Poison the air breathed by individuals and there is infection. Shut up 150 healthy people in a Black-hole of Calcutta, and in twenty-four hours an infection is produced so intense that it will, in that time, have destroyed nearly the whole of the inmates. Sick people are more susceptible than healthy people; and if they be shut up without sufficient space and sufficient fresh air, there will be produced not only fever, but erysipelas, pyæmia, and the usual tribe of hospital-generated epidemic diseases.

Again, if we have a fever hospital with over-crowded, badly-ventilated wards, we are quite certain to have the air become so infected as to poison the blood not only of the sick, so as to increase their mortality, but also of the medical attendants and nurses, so that they also shall become subjects of fever.

It will be seen at a glance, that in every such case and in every such example, the 'infection' is not inevitable, but simply the result of carelessness and ignorance. As soon as this practical view of the subject is admitted and acted upon, we shall cease to hear of hospital contagions.

In certain hospitals it has been the custom to set apart wards for what are called 'infectious' diseases, but in reality there ought to be no diseases so considered. With proper sanitary precautions, diseases reputed to be the most 'infectious' may be treated in wards among other sick without any danger. Without proper sanitary arrangements, a number of healthy people may be congregated together so as to become subject to the worst horrors of 'infection.'

No stronger condemnation of any hospital or ward could be pronounced than the simple fact that any zymotic disease has originated in it, or that such diseases have attacked other patients than those brought in with them. And there can be no stronger condemnation of any town than the outbreak of fatal epidemics in it. Infection, and incapable management, or bad construction, are in hospitals as well as in towns, convertible terms.

It was necessary to say thus much to show to what hospital diseases are *not* necessarily due. To the following defects in site, construction, and management, as we think, they are mainly to be attributed.

1. *The agglomeration of a large number of sick under one roof.*

It is a well-established fact that, other things being equal, the amount of sickness and mortality on different areas bears a ratio to the degree of density of the population.

Why should undue agglomeration of sick be any exception to this

* Curiously enough, these directly communicable diseases were excluded from the operation of general quarantine law by the International Quarantine Conference of Paris, 1851, which restricted the objects of quarantine to plague, yellow fever, and cholera, while it gave a logical *coup de grace* to the 'contagion' hypothesis by abolishing the 'suspected bill of health.'

law? Is it not rather to be expected that, the constitutions of sick people being more susceptible than those of healthy people, they should suffer more from this cause?

But if anything were wanting in confirmation of this fact, it would be the enormous mortality in the hospitals which contained perhaps the largest number of sick ever at one time under the same roof, viz., those at Scutari. The largest of these too famous hospitals had at one time 2500 sick and wounded under its roof, and it has happened that of Scutari patients two out of every five have died. In the hospital tents of the Crimea, although the sick were almost without shelter, without blankets, without proper food or medicines, the mortality was not above one-half what it was at Scutari. Nor was it even so high as this in the small Balaclava General Hospital, while in the huts of the Castle Hospital, on the heights above Balaclava, at a subsequent period, the mortality among the wounded did not reach three per cent. It is not to this, however, that we appeal, as the only proof of the danger of surface over-crowding. It is to the fact of 80 cases of hospital gangrene having been recorded during one month at Scutari (and many, many more, passed unrecorded); to the fact that, out of 44 secondary amputations of the lower extremities consecutively performed, 36 died; and to the cases of fever which broke out in the hospital, not by tens but by hundreds.

All experience tells the same tale, both among sick and well. Men will have a high rate of mortality in large barracks, a low one in separate huts, even with a much less amount of cubic space.*

The example which France and Belgium have lately set us of separating their hospitals into a number of distinct pavilions, containing generally not more than 100 sick each, should be elsewhere imitated. It may be useful, by way of illustrating good and bad hospital structure, to annex plans of the newest civil and military hospitals constructed in Paris, in contrast with plans of the newest civil and military hospitals constructed in England.

The Lariboisière as a civil hospital, the Vincennes as a military one, exhibit the latest and the best specimens of hospital construction in Paris.

King's College as a civil hospital, Netley as a military one, are among the latest—we would we could say the best—plans of hospital construction in England.

The Lariboisière, as will be seen from the plan, contains 600 beds, under six different roofs.

In the Vincennes plan the pavilions are end to end, two and a-half in each wing, and contain about 600 beds in four pavilions and two half-pavilions.

Netley Hospital is to contain 1000 sick and invalids, under two roofs.

2. *Deficiency of Space.*—Wherever cubic space is deficient, ventilation is bad. Cubic space and ventilation will therefore go hand in hand. The law holds good with regard to hospitals, barracks, and all

* It must never be forgotten that, during the last six months of our occupation in the Crimea, the death-rate among our men, barracked in huts, was actually less than it is among the men in barracks at home.

inhabited places. Deficiency of cubic space is confounded by unskilful sanitary statisticians with surface over-crowding in towns, although the things are quite different, and lead to different results. In a recent paper it has been argued that because the statistics of disease in towns of different densities do not show so large a proportionate mortality from consumption as takes place in the army, *therefore* the allegation that the army mortality is caused by overcrowding and bad ventilation is incorrect. We happen to know that deficient external ventilation and over-crowding in barracks, as regards cubic space, stand as follows:—

The cavalry barracks, as a whole, are the least over-crowded, and have the freest external movement of air. Next come the infantry; and the most crowded and the least ventilated externally are the Guards' barracks; so that the mortality from consumption which follows the same order of increase in the different arms augments with increase of crowding, and difficulty of ventilation.

If over-crowding or its concomitant, bad ventilation, among healthy people, generates disease, it does so to a far greater extent among the sick in hospitals. In civil hospitals the amount of cubic space varies between 600 and 2000 cubic feet per bed. In some military hospitals it is under 300; and from 700 to 800 appear to be considered a somewhat extravagant allowance. The army regulation as to cubic space in hospitals is over-crowding. At Scutari, at one time, not even half the regulation-space was given; and the great over-crowding consequent thereupon was one element in the disastrous result which followed. Any one in the habit of examining hospitals with different relative amounts of cubic space cannot fail to have been struck with the very different appearance of the sick, and with the different state of the ward atmosphere. It is impossible to ventilate a ward in a brick or stone hospital by natural means, when the cubic space is less than a certain amount. Crowded wards are, in fact, offensive, with all the windows open.

In the country less cubic space is essential than in towns. In detached huts or pavilions, especially if they be but one story high, less cubic space is necessary than where numbers are massed together.

Under all circumstances, however, the progress of the cases (in solidly-built hospitals) will betray any curtailment of space much below 1500 cubic feet. In Paris 1700, and in London 2000 and even 2500 cubic feet are now thought advisable.

The master of some large works in London lately mentioned the following fact:—He was in the habit of sending those of his workmen who met with accidents to two different metropolitan hospitals. In one they recovered quickly: in the other they were frequently attacked with erysipelas, and some cases were fatal. On inquiry it appeared that in the former hospital a larger amount of cubic space was allowed than in the latter, which is also so deficient in external ventilation and in construction, that nothing but artificial ventilation could effectively change its atmosphere.

It is no less important to have a sufficient surface-area between the adjoining and the opposite beds. Piling cubic space above the

patient is not all that is wanted. In the lofty corridors of Scutari I have seen two long rows of opposite beds with scarcely three feet from foot to foot. Certainly it cannot be thought too much, under any circumstances, to give to each bed a territory to itself of at least eight feet wide by twelve feet long.

3. *Deficiency of Ventilation.*—The want of fresh air may be detected in the appearance of patients sooner than any other want. No care or luxury will compensate indeed for its absence. Unless the air *within* the ward can be kept as fresh as it is *without*, the patients had better be away. Except in a few cases well known to physicians the danger of admitting fresh air directly is very much exaggerated. Patients in bed are not peculiarly inclined to catch cold,* and in England, where fuel is cheap, somebody is indeed to blame, if the ward cannot be kept warm enough, and if the patients cannot have bed-clothing enough, for as much air to be admitted from without as suffices to keep the ward fresh. *No* artificial ventilation will do this. Although in badly-constructed hospitals, or in countries where fuel is dear, and the winter very cold, artificial ventilation may be necessary, it never can compensate for the want of the open window. The ward is never fresh, and in the best hospitals at Paris, artificially ventilated, it will be found that, till the windows are opened in the morning, the air is close. Natural ventilation, or that by open windows and open fireplaces, is the only efficient means for procuring the life-spring of the sick—fresh air. But to obtain this the ward should be at least sixteen feet high, and the distance between the opposite windows not more than thirty feet. The amount of fresh air required for ventilation has been hitherto very much underrated, because it has been assumed that the quantity of carbonic acid produced during respiration was the chief noxious gas to be carried off. The total amount of this gas produced by an adult in twenty-four hours is about 40,000 cubic inches, which, in a barrack-room, say, containing sixteen men, would give 370 cubic feet *per diem*. Allowing eight hours for the night occupation of such a room, when the doors and windows may be supposed to be shut, the product of carbonic acid would be 123 cubic feet, or about fifteen and a-half cubic feet per hour. This large quantity, if not speedily carried away, would undoubtedly be injurious to health; but there are other gaseous poisons produced with the carbonic acid which have still greater power to injure. Every adult exhales by the lungs and skin forty-eight ounces, or three pints of water in twenty-four hours. Sixteen men in a room would therefore exhale in eight hours sixteen pints of water, and 123 cubic feet of carbonic acid into the atmosphere of the room. With the watery vapour there is also exhaled a large quantity of organic matter, ready to enter into the putrefactive condition. This is especially the case during the hours of sleep, and as it is a vital law that all excretions are injurious to health if reintroduced into the system, it is easy to understand

* 'Catching cold' in bed follows the same law as 'catching cold' when up. If the atmosphere is foul, and the lungs and skin cannot therefore relieve the system, then a draught upon the patient may give him cold. But this is the fault of the foul air, not of the fresh.

how the breathing of damp foul air of this kind, and the consequent re-introduction of excrementitious matter into the blood through the function of respiration will tend to produce disease.

If this be so for the well, how much more will it be so for the sick? —for the sick, the exhalations from whom are always highly morbid and dangerous, as they are one of nature's methods of eliminating noxious matter from the body, in order that it may recover health.

One would think that the first and last idea in constructing hospitals would be to contrive such means of ventilation as would be perpetually and instantly carrying off these morbid emanations. One would think that it would be the first thing taught to the attendants to manage such means of ventilation. Often, however, it is *not even* the *last* thing taught to them.

A much larger mass of air is required to dilute and carry away these emanations than is generally supposed, and the whole art of ventilation resolves itself into applying in any specific case the best method of renewing the air sufficiently without producing draughts, or occasioning excessive varieties in temperature. Trifling varieties are rather beneficial than otherwise in most cases. A cooler atmosphere at night acts like a tonic.

4. *Deficiency of Light.*—What is the proportionate influence of the four defects enumerated in delaying recovery I am not competent to determine.

Second only to fresh air, however, I should be inclined to rank light in importance for the sick. Direct sunlight, not only daylight, is necessary for speedy recovery, except, perhaps, in ophthalmic and a small number of other cases. Instances could be given, almost endless, where, in dark wards or in wards with a northern aspect, even when thoroughly warmed, or in wards with borrowed light, even when thoroughly ventilated, the sick could not by any means be made speedily to recover. The effect of light on health and disease has been ably discussed in an article on light in the August number, 1858, of the 'North British Review.' Its importance has been long recognised in the medical profession, as may be learned from the writings of Sir Andrew Wylie, Dr. Milne Edwards, and Mr. Ward. Dark barrack-rooms, and barrack-rooms with northern aspects, will furnish a larger amount of sickness than light and sunny rooms.

Among kindred effects of light I may mention, from experience, as quite perceptible in promoting recovery, the being able to see out of a window, instead of looking against a dead wall; the bright colours of flowers; the being able to read in bed by the light of a window close to the bed-head. It is generally said that the effect is upon the mind. Perhaps so; but it is no less so upon the body on that account.

All hospital buildings in this climate should be erected so that as great a surface as possible should receive direct sunlight—a rule which has been observed in several of our best hospitals, but, I am sorry to say, passed over in some of those most recently-constructed. Window-blinds can always moderate the light of a light ward; but the gloom of a dark ward is irremediable.

The axis of a ward should be as nearly as possible north and

south; the windows on both sides, so that the sun shall shine in (from the time he rises till the time he sets) at one side or the other. There should be a window to at least every two beds, as is the case now in our best hospitals. Some foreign hospitals, in countries where the light is far more intense than in England, give one window to every bed. The window-space should be one-third of the wall-space. The windows should reach from two or three feet of the floor to one foot of the ceiling. The escape of heat may be diminished by plate or double glass. But while we *can* generate warmth, we cannot generate daylight, or the purifying and curative effect of the sun's rays.

Part II.

Considering, then, that the conditions essential to the health of hospitals are principally these—

1. Fresh Air. 2. Light. 3. Ample Space. 4. Subdivision of Sick into Separate Buildings or Pavilions—let us examine the causes in the usual ward construction which prevent us from obtaining these and other necessary conditions. The principal causes are as follow, viz.:—

1. Defective Means of Natural Ventilation and Warming.
2. Defective Height of Wards.
3. Excessive Width of Wards between the Opposite Windows.
4. Arranging the Beds along the Dead Walls.
5. Having more than two Rows of Beds between the Opposite Windows.
6. Having Windows only on one Side, or having a closed Corridor connecting the Wards.
7. Using Absorbent Materials for Walls and Ceilings, and Washing Floors of hospitals.
8. Defective Condition of Waterclosets.
9. Defective Ward Furniture.
10. Defective Accommodation for Nursing and Discipline.
11. Defective Hospital Kitchens.
12. Defective Hospital Laundries.
13. Selection of Bad Sites and Bad Local Climates for Hospitals.
14. Erecting Hospitals in Towns.
15. Defects of Sewerage.
16. Construction of Hospitals without Free Circulation of External Air.

1. *Defective Means of Ventilation and Warming.*—When the question of ventilation first assumed a practical shape in this country, it was supposed that 600 cubic feet of air per hour were sufficient for a healthy adult, in a room where a number of people are congregated together. Subsequent experience, however, has shown that this is by no means enough. As much as 1000 cubic feet have been found insufficient to keep the air free from closeness and smell; and it is highly probable that the actual quantity required will ultimately be found to be at least 1500 cubic feet per hour per man.

In sick wards we have more positive experience as to the quantity

of air required to keep them sweet and healthy. It has been found in certain Parisian hospitals, in which the ventilating arrangements were deficient, that pyæmia and hospital gangrene had appeared among the patients. These diseases disappeared, on the introduction of ventilating arrangements, whereby 2500 cubic feet of air per bed per hour were supplied to the wards. Notwithstanding this large quantity, however, the ward-atmosphere was found not to be sufficiently pure. In other wards the quantity of air was increased to as much as 4000 or 5000 cubic feet per bed per hour—an amount which keeps the wards perfectly sweet. But again we say, do not trust to artificial means; without natural ventilation the air will never be *fresh*.

In this country, have no other than the open fireplace. It is the safest warmer and ventilator. Heated air from metal surfaces is especially to be avoided. It seems likely that we shall soon be enabled to have open fireplaces in the middle of wards, the draught being carried under the floor. It is obvious that fireplaces in the side walls are in the wrong place. There is great loss and unequal distribution of heat in consequence.

2. *Defective Height of Wards.*—It is not possible to ventilate sufficiently a ward of ten or twelve feet high. And again, it is not possible to ventilate a ward where there is a great height above the windows. A ward of thirty beds can be well ventilated with a height of about sixteen or seventeen feet, provided the windows reach to within one foot of the ceiling. Otherwise, the top of the ward becomes a reservoir for foul air.

3. *Too Great Width of Wards between the Opposite Windows.*—It does not appear as if the air could be thoroughly changed, if a distance of more than thirty feet intervenes between the opposite windows: if, in other words, the ward is more than thirty feet wide. This is the true starting-point from which to determine the size of your ward, and the number of beds you will have in it. If you make your length too great in proportion to this width, your ward becomes a tunnel—a form fatal to good ventilation. This was the case with the great corridor wards at Scutari.

If, on the other hand, you make your wards too short in proportion to this width, you multiply corners in a greater ratio than you multiply sick. And direct experiment has shown that the movement of the air in the centre of a ward is three or four times as great as it is at the corners. The movement of the air in a hospital ward should always be slightly perceptible over the face and hands, and yet there should be no draughts.

4. *Arranging the Beds along the Dead Walls.*—This deprives the patient of the amount of light and air necessary to his recovery, and has, besides, the disadvantage that when the windows are opened the effluvia must blow over all the intervening beds before escaping. This arrangement is to be seen at Portsmouth Military Hospital, Chatham Garrison Hospital, in the new part of the Edinburgh Infirmary, and is proposed at Netley Hospital.

5. *Having more than Two Rows of Beds between the Windows.*—In the double wards, or wards back to back, of the new part of

Guy's, of King's College, and of the Fever Hospital, this arrangement is seen. It is objectionable on every account. These double wards are from twelve to nearly twenty feet wider than they ought to be between the opposite windows for thorough ventilation. The partition down the middle with apertures makes matters rather worse; complaint has been made that it beats down the draught on the heads of the inner rows of patients. It also prevents the head nurse from having that view of her whole ward at once, which she ought to have for proper care of it. The only hospital in which this arrangement of four rows of beds could be comparatively unobjectionable, would be in a one-storied hut hospital, ventilated through the ceiling, like that of Dr. Parkes, at Renkioi.* But his were magnificent huts, and the partition was little more than a bulkhead. In the ordinary huts of the Sardinian camp-hospitals at Balaclava I have seen this arrangement produce pernicious effects.

6. *Having Windows only on one Side, or having a closed Corridor connecting the Wards.*—As it is a necessity of hospital construction that every ward ought to have direct communication with the external air by means of a sufficient number of windows on its opposite sides, it follows that to have a dead wall on one side, or to cover one of the sides by a corridor, is directly to interfere with the natural ventilation of the ward. To join all the ward doors and windows on one side by means of a corridor is much more objectionable than even to have a dead wall, because the foul air of all the wards must necessarily pass into the corridor; and hence, without extraordinary precautions, such as are not usually nor likely to be bestowed on such matters, these corridors are the certain means of engendering a hospital atmosphere. If any one had wished to see the corridor plan in all its horrors, Scutari would have shown them to him on a colossal scale. But the evils connected with corridors may be seen on a smaller scale in almost every hospital in London, and Netley also is to have its corridor.

This country is much indebted to Mr. Roberton, of Manchester, to the Medical Staff of the Middlesex Hospital, and to the Army Sanitary Commission for their advocacy of the pavilion system of hospital construction, in opposition to the corridor system, as also for their enlightened labours in the cause of good hospital construction generally.

7. *Using Absorbent Materials for Floors, Walls, and Ceilings of Hospitals, and Washing Floors.*—The amount of organic matter given off by respiration and in other ways from the sick is such that the floors, walls, and ceilings of hospital wards—if not of impervious materials, become dangerous absorbents.

The boards are in time saturated with organic matter, and only require moisture to give off noxious effluvia. When the floors are being washed, the smell of something quite other than soap and water is perfectly perceptible, and there cannot be a doubt that washing floors is one cause of erysipelas, &c., in some hospitals.

In Scutari, where the wards were overcrowded, the cases offensive, and the floors ill-laid, rotten and dirty, the accumulated saturations

* On the Dardanelles during the Crimean War.

of weeks and months were such that the floors could not be scoured without poisoning the patients.

There is no remedy for this but filling up the grain of the wood (which ought to be oak) with bees-wax and turpentine, like the French *parquet*, or oiling and *lackering*, *i. e.*, saturating the floor with linseed-oil, and then rubbing it over with a peculiar *laque* varnish, and polishing it so as to resemble French polish, like the Berlin hospital floors. Both processes render the floor non-absorbent—both processes do away with the necessity of scouring altogether. The French floor *stands* the most wear and tear, but must be cleaned by a *frotteur*, which cleaning is more laborious than scrubbing, and does not remove the dust. The Prussian floor requires re-preparing every three years. But the wet and dry rubbing, or process of cleaning is far less laborious than either *frottage* or scrubbing, and completely removes the dust, and freshens the ward in the morning. By either process the sick would gain much in England. The Berlin flooring is by no means perfect, on account of this deficient durability of surface, and might be improved.

As to the walls and ceilings of wards, plaster, or brick white-washed, are equally objectionable. Pure, white, polished, non-absorbent cement is the only material fit for hospital walls. If any one has inhabited the wards of War Hospitals, after several weeks or months of constant occupation by sick and wounded, where little or no attempt had been made to lime-wash the uneven dirty plaster-walls, saturated with organic matter, he will not wonder at the stress which is here laid upon the importance of impervious walls.

8. *Defective Condition of Waterclosets.*—It is hardly necessary to say more than this. There can be no safety for the sick if any but waterclosets of the best construction are used, as also if they are not built *externally* to the main building, and cut off by a lobby, separately lighted and ventilated, from the ward. The same thing may be said of sinks. I have known outbreaks of fever even among the healthy from an ill-constructed and ill-placed sink in this country.

The smell of latrines, which are not waterclosets, as used in French hospitals, although externally built, is quite perceptible at the end of the ward nearest to them.

9. *Defective Ward Furniture.*—Hospital bedsteads should always be of iron, the rest of the furniture of oak. Hair is the only material yet discovered fit for hospital mattresses. It is not hard nor cold. It is easily washed. It does not retain miasma. Straw has the advantage of being easily renewed, but it is not desirable. It is too hard and too cold not to render necessary the use of a blanket *under* the patient, which use is likely to encourage bed-sores. I speak from actual experience of the fatal effect of using the paillasse with patients much reduced. It may lower their vital energy beyond repair.

For all eating, drinking, and washing vessels, and for other utensils, the use of glass or earthenware is superior to that of tin or any other metal, on account of its greater cleanliness. Notwithstanding the greater amount of breakage and of expense, glass or earthen-

ware is therefore best wherever possible. Some kinds of tin vessels cannot by any amount of cleaning be freed from an unclean smell.

10. *Defective Accommodation for Nursing and Discipline.*—Simplicity of construction in hospitals is essential to discipline. Effectual and easy supervision is essential to proper care and nursing.

Every unneeded closet, scullery, sink, lobby, and staircase represents both a place which must be cleaned, which must take hands and time to clean, and a hiding or skulking place for patients or servants disposed to do wrong. And of such no hospital will ever be free. Every five minutes wasted upon cleaning what had better not have been there to be cleaned, is something taken from and lost by the sick.

In considering the pavilion plan to be in future received as the sanitary necessity for hospital construction, we must look upon it as susceptible of many modifications. In deciding which of these shall be adopted, there are four essentials to be considered as regards the head of nursing and discipline. 1. Economy of attendance. 2. Ease of supervision. 3. Convenience as to number of sick in the same ward and on the same floor, so as to save extra attendants and unnecessary waste of time and strength on the stairs. 4. Efficiency as to accommodation for nurses so as to overlook their wards.

First. *Economy as to attendance.*—I would rather not enumerate the instances where I have seen that, often from the most various causes, one result arises, viz., that more time and care are given to passages, stairs, &c. &c., than to the sick. Extreme simplicity of construction and of detail is essential to obviate this. A convenient arrangement of lifts, and the laying of hot and cold water all over the building economize attendance—certainly as much as one attendant to every thirty sick.

Secondly. *Ease of Supervision.*—The system of scouts, watch, alarm, is well understood in many wards where patients would be puzzled to give the things names. Some patients will know both things and names. Attendants require inspection as well as patients. Whatever system of hospital construction is adopted should provide for easy supervision at unexpected times. The Vincennes plan is better adapted for this than the Lariboisière plan, inasmuch as there is a greater number of patients on the same level, and stairs are spared.

Third and Fourth. *Distribution of Sick in convenient numbers for attendance, and Position of Nurses' Rooms.*—Four wards of ten patients each, taking the average of patients as in London, cannot be efficiently overlooked by one head nurse. Forty patients in one ward can be fully overlooked by one head nurse. She ought to have her room so placed that she can command her whole ward, day and night, from a window looking into the ward. This cannot be the case if she has four wards. If she has two, they ought to be built end to end, with her room placed between and looking into both wards.

Four wards of ten patients each cannot be attended by one night nurse, taking the average of London cases. Forty patients in one ward can be fully attended by one night nurse.

Small wards are indeed objectionable in working a hospital.

If we are to be guided, however, by the results of recent experience

in hospital building, we shall probably come to the conclusion that, taking sanitary and administrative reasons together, thirty-two patients is a good ward-unit.

Let us see what we do in our military hospitals at home. The first thing that will strike any one in most of our regimental hospitals is the extraordinary number of wards, and of holes and corners in comparison with the number of sick. In a hospital for a battalion 500 or 600 strong, you find eight or ten little bed-rooms, miscalled wards, a little kitchen, everything, in fact, on a little scale, like a collapsed French hospital. How much more sensible would it be to have one, or at most two large wards for thirty sick each, with a small 'casualty' ward! How much less the expense of erection and administration, how much easier the discipline and over-sight, how much better the ventilation!

To return to large general hospitals. These 'casualty' wards, as they are called, for noisy or offensive cases are much better placed apart, with a completely appointed staff of their own, than attached one small ward to each larger one. Patients requiring much attention, whose condition fits them the most for the small wards, cannot be put there, because either they are more or less neglected or they unduly monopolize the service of the ward attendants. If convalescent patients are put into them, they are comparatively removed from inspection, and often play tricks there. If separate 'casualty' wards are provided as they ought to be, the small ward (often seen in French hospitals), at the end of the larger ward, is only an incubus.

11. *Defective Hospital Kitchens.*—Two facts every careful observer can establish from experience.

1. The necessity for variety in food, as an essential element of health, owing to the number of materials required to preserve the human frame. In sickness it is still more important, because, the frame being in a morbid state, it is scarcely possible to prescribe beforehand with certainty what it will be able to digest and assimilate. The so-called 'fancies' of disease are in many cases valuable indications.

2. The importance of cooking so as to secure the greatest digestibility and the greatest economy in nutritive value of food.

Yet so little was either of these elements of health understood in the late Crimean war, so little is either understood up to this hour in the diets, rations, and cooking of either sick or well in the army, that we still see the everlasting sameness of ration, the eternal boiled meat of the 'full,' 'half,' and 'low' diet of the hospital kitchen. As the present Quartermaster-General says, 'the men live upon boiled meat for twenty-one years.'

In the war hospitals of the East it was practically learnt, though never theoretically acknowledged, that in order to make the patient eat at all, he must not be fed on this hard boiled never-varying meat of 'full' or 'half' diet.

Hence the wasteful and violent expenditure of 'extras,' as they are called, which, in the hands of inexperienced surgeons, left to their own unassisted inventions, often laid them open to criticism.

But no attempt was made to compose a better or more varied diet

hardly any, till the arrival of Soyer, to improve the system of cooking.

Some few improvements have lately been made in the hospital kitchens of the army at home; what variety of cooking there is even now in the barracks is often done at the expense of, and by the men themselves. A proper system of hospital diets will ere long be introduced in the army hospitals.

I have often been surprised by the primitive kitchens of some of our civil hospitals, with which little variety of cooking is possible.

These things show how little diet and cooking are even yet thought of as sanitary and curative agents. There still exists a confusion of ideas about 'spoiling' the sick, about 'too much indulgence' of the patients, and even yet comparatively little is practically known as to what is, and what is not, essential for restoration to the utmost vigour.

12. *Defective Hospital Laundries.*—It is hardly necessary to go back to the time in the Crimean war when in a Scutari hospital six shirts were washed in a month for a number of 2000 patients, which was constantly changing; when the number per man per month of all articles of all descriptions washed was less than three. The pestilential filth of that time is known now to all. But it is not so well known that even now there is scarcely an army hospital which has such a thing as a laundry. The bedding is generally washed by the barrack department; no one appears to know how. It is done by contract. And the body linen is generally washed, if such a term ought to be used, in a small wash-house, or lean-to shed, with or without a boiler, and without any means for drying, getting-up, or airing linen. The linen is taken out of the damp wash-house, possibly into the damp air, and there hung up for a longer or a shorter time; and if the 'orderly' be careful of his patients, he will complete the process by drying the linen, before it is put on, in front of the ward fire.

A great deal has been said about the communication of 'infectious' disease, both in civil and military hospitals, from patients' linen to washerwomen. The usual conclusion arrived at on such occasions, is that such and such a disease is 'very infectious;' *e. g.* I was lately told in a civil hospital that the washerwomen became infected with fever from the patients' linen. Have those who put forward this doctrine of inevitable 'infection' among washerwomen ever examined the process of washing, the appliances by which it is done, and the place where the women wash? If they will do so, they will very generally find a small, dark, wet, unventilated, and overcrowded little room or shed, in which there is hardly space to turn about—so full of steam loaded with organic matter that it is hardly possible to see across the room. Is it surprising that the linen is badly washed, that it is imperfectly dried, and that the washerwomen are poisoned by inhaling organic matter and foul air? An ordinary hospital wash-house is a very likely place indeed to contract disease in, but it supplies equal reason for demurring *in toto* to the doctrine that the occurrence is inevitable, or that the disease is to blame. Ignorance and mismanagement lie at the root of all such presumed cases of 'infection.' And it would better serve the cause of humanity if,

instead of citing such facts—if they be facts—as illustrations that such and sucish a dease is infectious, people would reform these washing establishments and convert them into proper laundries, from which properly cleansed and prepared linen could be supplied to the sick, and in which the health of the servants could be preserved from injury.

Let laundries be constructed with sufficient area and cubic space for each washer, with abundance of water, with proper means of drainage, and of ventilation for removing the vapour, and with properly-constructed drying and ironing rooms, and we shall cease to hear of washerwomen 'catching' fever.

13. *Selection of Bad Sites and Bad Local Climates for Hospitals.*—As the object to be attained in hospital construction is to have pure dry air for the sick, it will be evident that this condition cannot be fulfilled if a damp climate be selected. It is a well-known fact, *e.g.*, that in the more damp localities of the south of England, certain classes of sick and of invalids linger, and do not recover their health. Again, retentive clay subsoils keep the air over entire districts of the country always more or less damp. And soils of this character should not be selected as sites for hospitals. Self-draining, gravelly, or sandy subsoils are best. River banks, estuary shores, valleys, marshy or muddy ground, ought to be avoided. It may seem superfluous to state that a hospital should not be built over an old graveyard, or on other ground charged with organic matter. Although hospitals are intended for the recovery of health, people are very apt to forget this, and to be guided in the selection of sites by other considerations—such as cheapness, convenience, and the like; whereas, the professed object in view being to secure the recovery of the sick in the shortest time, and to obtain the smallest mortality, that object should be distinctly kept in view as one which must take precedence of all others.

A doctrine has recently been promulgated in a Government Report, that we are only to consider what is best for the *majority* of the sick in a hospital. If we cannot do the best possible for *all* the sick, by all means let us leave the rest at home. In practice a hospital may be found only to benefit a majority, and to inflict suffering on the remainder. Let us use our intelligence to see whether we cannot have hospitals constructed so as to be of equal benefit to all.

14. *Erecting Hospitals in Towns.*—Nearly all that has been said under the last head, *mutatis mutandis*, may be repeated here. If the recovery of the sick is to be the object of hospitals, they will not be built in towns. If medical schools are the object, surely it is more instructive for students to watch the recovery from, rather than the lingering in, sickness. Twice the number of cases would be brought under their notice in a hospital in which the sick recovered in half the time necessary in another.

According to all analogy, the duration of cases, the chances against complete recovery, the rate of mortality, must be greater in town than in country hospitals.

Land in towns is too expensive for hospitals to be so built as to secure the conditions of ventilation and of light, and of spreading the

inmates over a large surface-area, instead of piling them up three or four stories high—conditions now known to be essential to recovery.

15. *Defects in Drainage.*—Sewers may become cesspools of the most dangerous description, if improperly made and placed. At Scutari, if the wind changed so as to blow up the open mouths of the sewers, such change was frequently marked by outbreaks of fever among the patients, and by relapses among the convalescents from fever. Where there are no means for externally ventilating the sewers, no means for cleansing or flushing them, and where the bottoms are rough and uneven, such occurrences cannot fail to take place. The emanations from the deposits in the sewers were blown back through the pipe-drains into the privies, and thence into the corridors and wards where the sick were lying. Where sewers pass close to or under occupied rooms, the walls or covers being defective, exhalations will infallibly escape into those rooms. Such could be distinctly perceived in Scutari hospitals, and cases of cholera distinctly traced to such a cause.

Not very long ago five fatal cases of fever occurred in rapid succession among the nurses in one of our civil hospitals, which were traced to a defective drain.

Where a main sewer is too large, as is the case at Netley Hospital, mischief may also ensue.

16. *Construction of Hospitals without Free Circulation of External Air.*—To build a hospital with one closed court with high walls, or what is worse, with two closed courts, is to stagnate the air even before it reaches the wards.

All closed corners stagnate the air, even where the building forms but three sides of a square, unless the wings are so short that they can hardly be called wings. The only safe plan is to leave the corners entirely open, as at Vincennes, where they are connected only by an arcade on the ground floor.

Even in the pavilion structure, unless the distance between the pavilions be double the height of the walls, the ventilation and light are seriously interfered with.

For this, among other reasons, two stories are better than three; and one is preferable to two, provided it be erected upon an arched basement.

To build a hospital in the midst of a crowded neighbourhood of narrow streets and high houses, is to insure a stagnation of the air without, which no ventilation within, no cubic space, however ample, will be able to remedy.

I have here given the defects; few have had so sad or so large an experience of their results as I have had. I appeal to those who are wiser, and have more practical power than I have, for the remedies —to architects, to hospital committees, to civil and royal engineers, to medical officers, to officers of health, to all the men of science and benevolence of whom our country is so justly proud. It is hard that in a country, where everything is done by a despotic Government, such advances in the sanitary construction of hospitals

should have been made, and that our England, which ought to take the lead in everything good, should be left behind.

Note on the Hospital Plans.

These four plans, two English and two French, may be taken as representing the degree of constructive ability directed to the planning of hospitals in the two countries. The contrast presented by them is certainly very striking.

Compare, for example, the extreme simplicity of the plan of the Military Hospital at Vincennes with the great complication of that at Netley. The former consists of a centre and two wings, detached but connected by a corridor one story high running along the basement. The centre contains the offices, and the wards are in the wings. Each wing consists of two pavilions for sick soldiers, and one small pavilion for sick officers. The pavilions are completely cut off from each other by a large, specially ventilated staircase, carried above the roof. Each ward has a profusion of windows opposite each other, abundance of light and of ventilation, quite independent of the ventilation of the adjoining pavilions. The wards, moreover, run nearly north and south, and receive the sunlight freely throughout the day.

Netley Hospital, on the other hand, presents a perfect rabble of wards and offices, thrown together as if by accident. All the sick wards in each flat have their ventilation connected by a corridor running along and covering the whole south-west face of the building, as if designed to obstruct natural ventilation, to keep out sunlight, and to ensure the equal diffusion of a hospital atmosphere throughout the entire line of wards. It is true that a complicated system of ventilation is proposed to remove this latter defect, but there should have been no such defect to remove. It will also be seen, that the only ward windows opening to the external air are on the north-east and coldest side of the building.

Netley may be fairly described as a hospital without sufficient sunlight or natural ventilation.

The Vincennes Hospital has an obvious defect in the position of part of the administrative offices; but even in this respect it is better than Netley, while in all that pertains to the welfare of the sick it is very greatly superior.

Let us next compare the Civil Hospital Plans:—

One of these is that of an unfinished metropolitan hospital; the other is the plan of the noble Lariboisière at Paris. The English hospital plan presents an epitome of almost every defect in hospital construction. It is an involved Netley plan with sick in the corridors, for not only have the wards windows only on one side, but there are four rows of beds between the opposite windows. Moreover, the arrangement of wards, corridors, chapel, &c., seems as if intended to stagnate the air outside. All is complicated, and there is a want of that simplicity of plan which is essential to the free circulation of air without as well as within the sick wards.

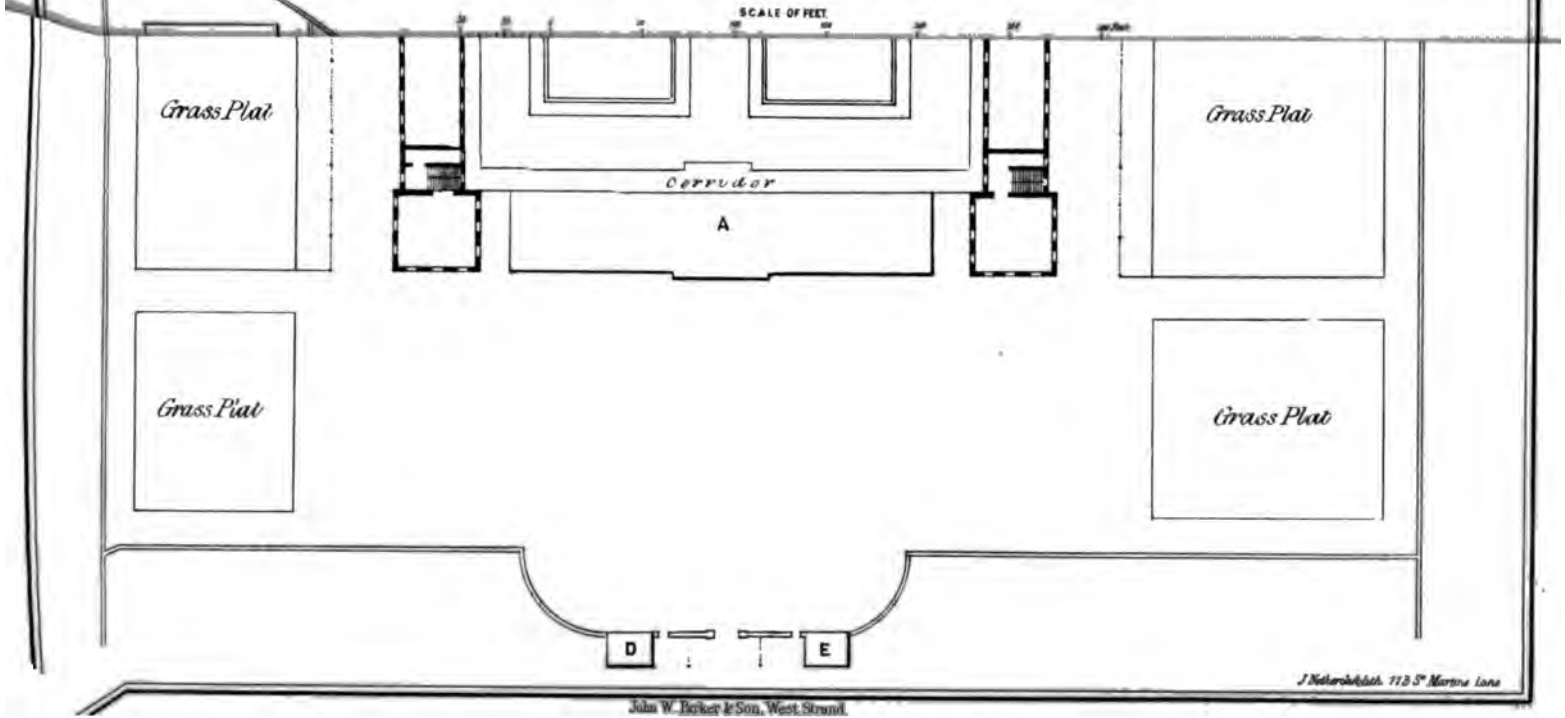
Turn next to the Lariboisière. The corridor running round the central garden is only one story high, so as not to impede the free flow of the air and sunlight. The sick pavilions are all detached from each other. They are, in fact, separate hospitals, with only one hundred sick under one roof. Like the Vincennes pavilions, they have a profusion of windows, and abundant means of natural ventilation within as well as without. In the much brighter and hotter, as well as colder climate of Paris, a large proportion of the hospital wall is glass, and the sick are ranged between the windows, so that the ward effluvia can readily escape.

The English plans, on the contrary, show that in our duller and milder climate, in both senses, our hospital architects do their best to shut out our rare and imperfect sunlight, and to keep pure air out of the wards as much as possible, while they provide for the sick being so arranged that the effluvia must pass over a succession of beds before escaping.

Any one making even a cursory examination of these four plans can hardly fail to arrive at the conclusion that the French plans, with certain obvious defects, show a high appreciation of the importance of hospital hygiène; while the English plans, on the contrary, prove that we have hardly yet begun even to study this branch of knowledge.

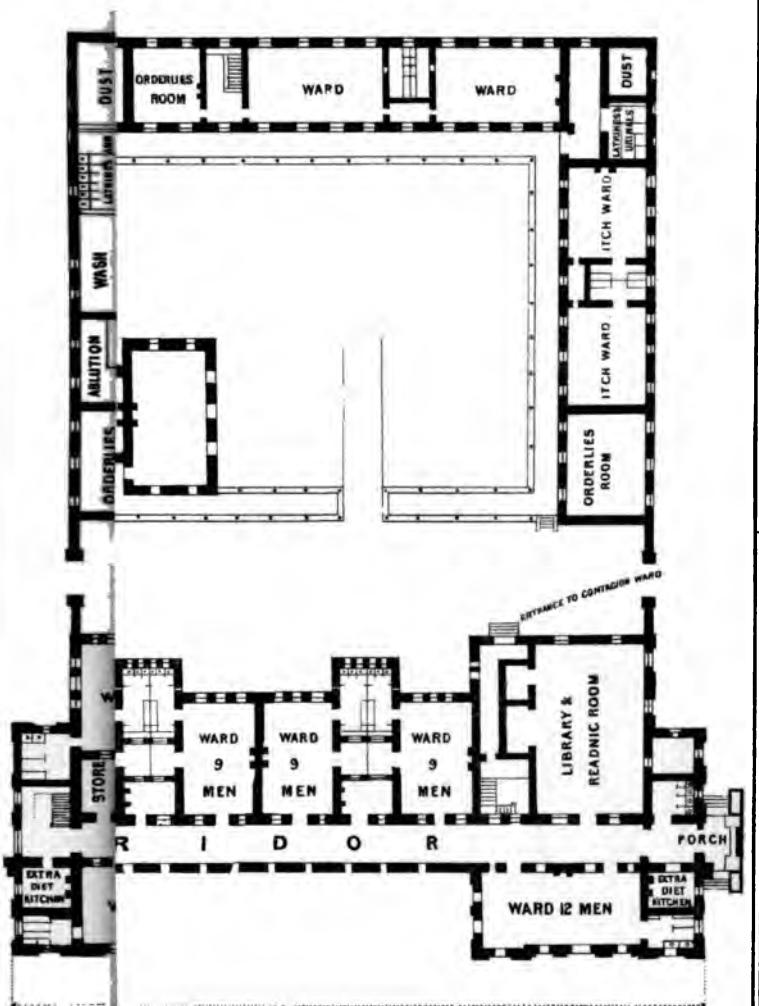
VINCENNES MILITARY HOSPITAL.

GROUND PLAN.



John W. Parker & Son, West Strand

RRIDOR.


DUST
ORDERLIES ROOM
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WARD
DUST
ATTENDERS LODGINGS
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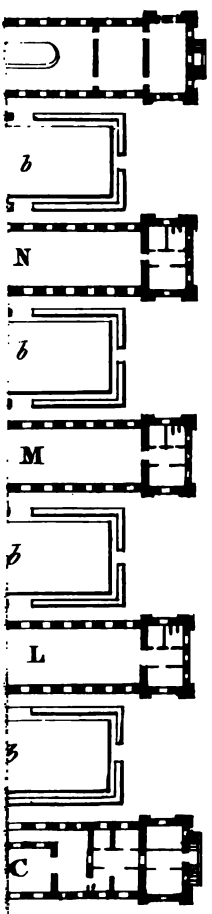
ITCH WARD
ORDERLIES ROOM
WASH
ABLUTION
ORDERLIES
ENTRANCE TO CONTAGION WARD
LIBRARY & READING ROOM
WARD 9 MEN
WARD 9 MEN
WARD 9 MEN
STORE
R I D O R
PORCH
EXTRA DIET KITCHEN
WARD 12 MEN
EXTRA DIET KITCHEN

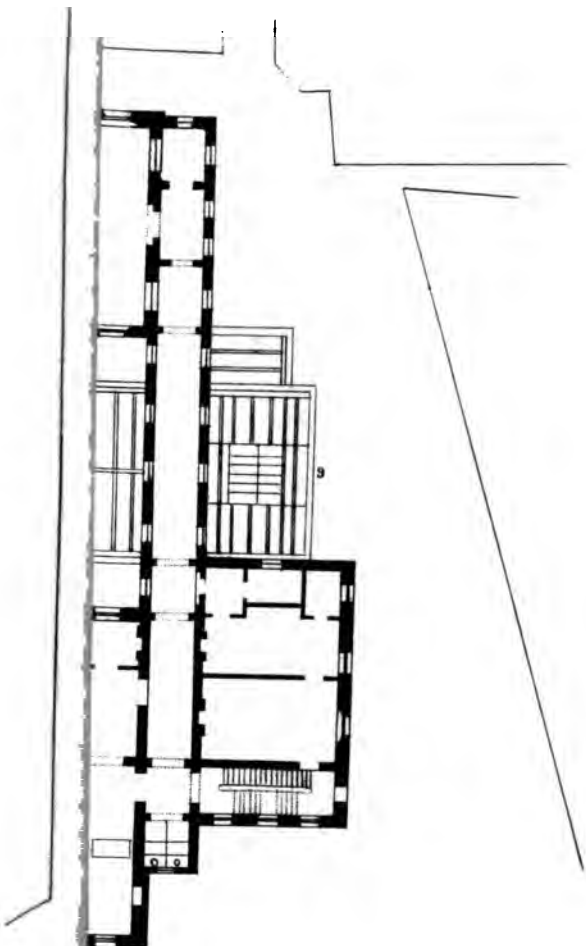
A Offices R. Ground Floor. Washhouse, On the 1st Floor Linen Store.
B Kitchen 2nd Floor Dormitories for Female Attendants.
On the S Sisters' Rooms. T. U. Baths. V. Chapel.
C. On the X. Y Amphitheatre.
Offices L Manège & Stores.
D.E.F.G.H.I Stable and Dead House.
L.M.N.O.P. a. a. a. a Corridor one story high, with open Terrace above, running round the buildings, and connecting them.
b. b. b Gardens.



J. Nash del. & lith. 1183

Pl. 4.

WARDS.



1 Chatients on Ground Story. 9 Small Theatre on Ground Story.

10 feet

J. Neale del. lith. 13, St Martin's Lane.

Suggestions relative to Civil and Military Hospitals, and to some other Sanitary Questions. By ROBERT RAWLINSON, C.E., *Engineering Sanitary Commissioner to the Army in the Crimea.*

HOSPITALS are required under the imperfect arrangements of civil life; and so long as there are armies, there must be Military Hospitals.

Crowded and ill-ventilated hospitals destroy human life, and very probably as the squares of their density and foulness.

Large bad hospitals are more destructive than small bad hospitals. This is especially the case when the sick are massed into the most compact cubic space, and have the least amount of ventilating arrangements.

In any hospital the first requisite is purity of the common air. This involves drainage, sewerage, internal cubic space, surface or floor area, and means to keep up a regular and never-ending change of air. Internal defects of hospitals are frequently more injurious to the sick than external causes.

Permanent hospitals should be suburban.

The atmosphere of the district should be free from special and local taint.

The subsoil should be naturally dry; or should be deep-drained, so as to insure surface dryness.

The local water should be good—that is, soft and pure.

Shallow well-water should not be used; it is always dangerous, and may easily be made poisonous by surface filth or by sewage.

Any site for a new hospital should have such elevation as will give main sewers a fall of not less than sixteen feet per mile, or 1 in 330; and every drain a fall (to the mid section line of the main sewer at its junction) of 1 in 60.

The main sewer's outlet should never be impeded either by tides or by river floods, or, indeed, from any cause.

Hospital buildings should be exposed to sunshine, so as to have light and external ventilation throughout the year. Overshadowing woods and mountains should be avoided.

Whenever practicable, permanent hospitals should be constructed of stone or of brick, and there should be fixed means for ventilation at the ceilings and roof, of not less than twelve square inches per bed. This should be independent of windows and doors, or of any other means of ventilation.

For temporary hospital constructions, wood is better than iron, as all metals are affected by temperature more than wood, and absorb and conduct heat more rapidly.

The sides of temporary hospitals should not be banked up with earth so as to cause damp and internal stagnation of air, rendering the room as injurious as if it were an unventilated and undrained cellar.

Any form of roof-covering which is impervious to air should be

avoided, or be used with special precautions, either for permanent buildings or for temporary accommodations. The patent felt used in the Crimea was very injurious until ridge ventilation had been fully provided by orders of the sanitary commission. Tiles of earthenware make a better hospital roof than slates; they will neither be so hot in summer nor so cold in winter.

The pavilion plan is the best for permanent hospitals.

There should not be cellars beneath pavilion hospital wards for any purpose.

The lowest hospital floor should be raised not less than six feet above the surface of the ground, and there should be free perflation.

The ground area beneath hospitals should be flagged, concreted, or paved. The space should not be used as a general or as a lumber store.

Each hospital basement should be enclosed by light open railing.

External walls may be lined with hollow bricks as a protection from damp, rather than be timber-battened.

External window-space for pavilion wards should never be less than in the proportion of one to three of the area of the side walls.

The windows should be of plate glass, or double-glazed, or there should be double sashes. These latter admit of modifications for window ventilation.

All internal door-spaces should be formed from floor to ceiling, and the space over the door may then be used independently, as high as the ceiling, for ventilation.

In arranging temporary or new buildings for hospitals, precautions should be taken against fire. Division walls should so separate long wards and large buildings as to render it impossible for one fire to destroy an entire hospital, as at Pera a French hospital was destroyed during the Crimean war.

Small square openings for purposes of ventilation are objectionable. Slit-like openings, continuous as the wards are long and wide, will act better.

Window and door ventilation is the best. Flue ventilation the worst.

All water-closets or latrines should be fully and independently ventilated to the open air at the level of their ceilings.

Water-closets and latrines should be preserved scrupulously clean, and the atmosphere free from taint at all times.

For warming, open fires are best; closed iron stoves highly heated the worst.

Sewers and drains should be external—that is, the sewer or drain should commence at the outer wall of the building and not pass beneath the wards. They should have external means of ventilation, so as to prevent the possibility of internal atmospheric contamination.

Sewers should be oval in sectional form, as also smooth within, to facilitate the passage of fluid refuse. John Howard recommends this form in his remarks on gaols.

Drains may be circular in sectional form.

A sewer of twelve inches cross-sectional diameter will more effectively remove the sewage from one thousand patients than any sewer of larger dimensions.

Bricks moulded to the radii and set in hydraulic mortar make the best sewers.

Vitreous earthenware pipes make the best drains.

Common brick-earth drain-pipes make the best land drains.

There should be full means of examining and flushing all sewers and drains at will.

Land-drains on hospital sites should not be less than six feet deep, and should be so near as to thoroughly drain the site to this depth.

The water supply of permanent hospitals should be from one cistern or tank, at a sufficient elevation to give high pressure over the establishment.

The water should be soft and pure, and must be protected from contamination—atmospheric or otherwise.

Iron pipes should be used for water distribution, and not lead. Cast-iron, varnished by Dr. A. Smith's process, for the mains: wrought-iron tubing, with screw-joints, for the services. Water for all culinary and drinking purposes should be drawn direct from the mains, so as to preclude the use of internal cisterns.

There should be a sink beneath each supply tap.

'Hydrants' or fire-cocks should be accessible at short intervals.

The external walls, windows, basements, and foot-walks round each pavilion should admit of being cleansed by water from hose and jet.

Flagging or paving is better for hospital purposes than asphalte.

Limestone gravel will make the best and dryest walks.

For several pavilions there may be speaking-tubes; or there may be wires for electric communication.

Permanent hospital beds may have large castors, hooped with prepared india-rubber, to insure easy and noiseless motion.

For camps, or for armies in the field, small hut-hospitals, with ridge ventilation, will be found best.

The tent d'abri is only a poison apparatus, and should never be used. A thin sheet of waterproof is lighter to carry, and will be better in use when bivouacking.

The belt-tent is objectionable in form, even for men in health, and should never be used for sick.

The pavilion tent or marquee is the best form, as either side may be raised so as to form an open verandah.

Hut-hospitals may have trestle-beds or swing-cots; such cots as are used for sick on board transport ships.

If possible the sick and wounded of an army should not be laid on the ground, even though mats or sheets impervious to wet are used.

In appropriating existing buildings for the accommodation of sick and wounded, the following rules should be attended to.

Rooms should be cleansed, and the walls and ceilings lime-washed.

Ventilation should be provided at the ridge, at the staircases, and at the ceilings, and upper parts of windows.

The precincts of the hospital should be cleansed.

Privies or latrines should be provided in the proportion of one to each twenty patients. Old privies should be ventilated, cleansed, and regularly disinfected.

Each seat should be separated by a partition.

There should be no possibility of ward contamination from privies. The ventilation of these places should be independent and ample.

Latrines should be disinfected twice in each day at least.

Existing sewers and drains should be examined, and, if necessary, cleansed and fully ventilated.

Flushing-tanks may be erected at the head of each sewer outside the hospital walls. A large wine-cask or other barrel may be made to answer for immediate and temporary sewer and drain flushing.

The mouths of all sewers should be covered, so as to prevent any wind driving foul air back and into the hospital wards, as at Scutari; open spaces for ventilation should be broken up outside the hospital wards.

However lofty a building or room may be in which sick and wounded are placed, there should not be less than an area of 60 square feet for each patient—that is, $10 \times 6 = 60$ feet. If the ground floor is wide, as in a church or theatre, a much larger area may be required. Sir John Pringle wrote, 'Whenever such buildings are used for hospitals, and it appears to an ordinary observer that three times as many may be put in, by no means do so.'

Rooms over privies, or over stables, should never be used for sick—as at Kulali, on the Bosphorus, during the Crimean war.

Huts for the use of an army in the field should be designed so as to fit in sections. The portions should each be complete, and of such form and dimensions as to allow of easy packing and facility of land carriage. Nailing should not be required; but all the parts should be capable of being secured by hinges, hasps, or screws.

Tents may be so designed and arranged as to form up in sections. A compound material of timber-laths, or battens, like Venetian-blind laths, may be mounted like German mats, so as to make hut-tents, impervious to wet and wind as to heat and cold. Such hut-tents may be almost as light as canvas, far more portable than timber huts, and be possessed of the combined advantages of tent and hut.

Temporary huts may be made of rubble-stone, of rubble-stone and sods, of hurdles, as also of combinations of stone, sod, and hurdle. In all cases surface dryness and ventilation should be secured. An end wall to any form of hut will enable an open fireplace to be used.

In the field, the colonel of a regiment has the lives of his men in his care. An intelligent and humane colonel will save his men when others are lost. There were examples (Lord West) in the Crimea.

Regiments are, for the most part, composed of day labourers; but there are also educated artisans, masons, carpenters, smiths, and others. If soldiers are trained to work, and are encouraged by pay, no British army can ever again be lost, as in the Crimea.

In no climate should hospital patients sleep on a level with the ground line, and most certainly not in cellars.

A sanitary staff should be appointed to scavenge, lime-wash, ventilate, flush sewers and drains, disinfect privies and latrines, and provide and filter water, &c.

The requisitions of the sanitary officers should be absolute.

Regular returns as to expenditure should be required, and as to work done.

Soldiers should be taught to construct temporary huts, stables, and cooking-places out of the material any country produces most readily to hand.

Wells should be cleansed and covered. Springs should be protected. Indiscriminate drawing of water from wells and springs ought never to be allowed. A guard should be placed in charge, and orderlies, told off for the purpose, should fill the vessels and hand them to their owners. By such means time will be saved, water will be economized, and the source may be preserved pure.

In the stores of an army should be included sanitary articles, such as water-pipes, water-cocks, tools for well-sinking and boring, perforated zinc, pumps, &c. &c.

Geology and botany should form part of the education of every military officer. The stratification of a new country may then be comprehended at a glance. Meteorological peculiarities are indicated by plants. The history and peculiar characteristics of every country are written legibly on the surface. Plain, mountain, valley, ravine, and cliff tell their own stories, aided and confirmed by rill, lake, and river. Vegetation indicates climate and peculiarities in seasons.

Geographical position and climate may require certain modifications to be made in the arrangements of permanent and temporary hospitals, but the things to be guarded against in all cases are external surface malaria, and internal poisoning by respiration and stagnation of the air.

The laws of nature are simple to the initiated. The laws of health are few, and easy to be obeyed when once learned.

On the Application of Sanitary Science to the Protection of the Indian Army. By E. Chadwick, C.B.

At the commencement of the last war, when the people witnessed the departure of the Guards and the finest of our troops to those fields in the East, where of all the various races assembled, there were few found to equal, and none to exceed them in bodily prowess, the feelings of those who bade them farewell were often saddened by the apprehension of how many of those noble soldiers would be laid low in conflict with the numerically superior hosts against whom they were sent to contend. But with all the known and feared odds against them, it was not then imagined, by the most desponding, how few of those who first embarked would ever return, and of those who did return, how few would return in strength for future service. Little was it suspected that the British soldiers would fight some of the most deadly battles of which our history affords examples, and that nevertheless, of all the foredoomed, over whose graves the next winter's storms would roll, not one in four would fall in those glorious battles,

at the hands of the enemy, or from the causes then present to the imagination; that the greatest slaughter would be occasioned by administrative defects, and causes which, from the prevalent ignorance and neglect of sanitary science, had long been in full operation at home, and which they took with them from home. Having been led to consider of the diseases of the army for general sanitary purposes, I endeavoured at the commencement of the war to call attention to the experience of former wars, as displayed in the statistical table appended to the last report of the Board of Health, and to show how much greater had been the loss of life and strength from sickness than from the sword, and to impress the need of measures of prevention, commensurate with the proved greatest sources of loss. After the first army had been in a great measure destroyed by disease, the sanitary commission was sent out, having been trained in investigations of the localizing causes of disease. On the result of the application of sanitary science for the protection of our army in the Crimea, let me cite the testimony of that noble lady who led other British ladies to the relief of the suffering soldiers.

'It is,' says Miss Nightingale, 'a complete example—history does not afford its equal—of an army, after a great disaster arising from neglects, having been brought into the highest state of health and efficiency. It is the whole experiment on a colossal scale. In all other examples, the last step has been wanting to complete the solution of the problem. We had in the first seven months of the Crimean campaign a mortality of 60 per cent. per annum among the troops from disease alone; a rate of mortality which exceeds that of the great plague of London, and a higher ratio than the mortality of the cholera to the attacks; that is to say, that there died out of the army in the Crimea an annual rate greater than ordinarily die in time of pestilence out of sick. We had during the last six months of the war, a mortality among our sick not much greater than among our healthy Guards at home; and a mortality among our troops, in the last five months, two-thirds only of what it is among our troops at home. The mortality among the troops of the line at home, when corrected, as it ought to be, according to the proportion of different ages in the service, has been, on an average of ten years, 18·7 per 1000 per annum, and among the Guards 20·4 per 1000 per annum. Comparing this with the Crimean mortality for the last six months of our occupation, we find that the deaths to admissions were 24 per 1000 per annum; and during the last five months, viz., January to May, 1856, the mortality among the troops did not exceed 11·5 per 1000 per annum. Is not this the most complete experience in army hygiene?'

The great question which is now presented for consideration is, whether the lesson gained in the Crimea shall be lost, or determine what may be done by sanitary science for the prevention of the excessive waste of life of our British troops, as well as of the British population resident in India. Our contest there will no longer be with the military castes; over them, at least in the open field, our

power against superior numbers has been everywhere triumphant—our contest must now be with what is called the climate; *i.e.*, disease in its localizing causes. Unless those be overcome, European civilization itself cannot be introduced or advanced. In times of peace, the death-rate in India is upwards of 40 per 1000 of the European troops, and sickness causing invaliding, combined with death, occasions a loss of 100 per 1000 per annum. The British forces at present in India are stated to amount to between eighty and ninety thousand men of all arms. It is alleged by military authorities that the security of our Empire there will require an army of at least one hundred thousand British soldiers in time of peace; and even from undisturbed districts there are now outcries for more European troops. Nothing has hitherto been said, and assuredly nothing effectual has hitherto been done, for the reduction of the ordinary death-rates amongst the troops in India in times of peace. Can we, then, recruit to the extent of ten, or even of eight thousand per annum to make good the ordinary losses from sickness and death? Will the people continue to consent to sustain an Empire at such a rate of expense as so heavy a drain of force implies. Voluntary enlistment is becoming difficult, the quality of the troops enlisted is visibly so lowered as seriously to affect the efficiency of the army, even under the ordinary chances of the home death rate, the chances which the men enlisting think too remote to heed them much of being sent out to a tropical country. But what quality of men may be expected to enlist in the face of the more seriously augmented chances, amounting to what will be deemed a certainty, of being sent out to India, and there of being twice in the hospital every year, and to the recruit of twenty-one, the chances that he will be in his grave, or at the least disabled for life, by the close of his thirty-first year? It has long been held, and held with the apparent warranty of the fact of a heavy death-rate, that Anglo-Saxon children cannot be reared in India. To this assumed fact the Indian military castes hitherto dominant, look for the eventual restoration of their Indian dominion, and the dispossession of the Europeans.

All this may be taken in the absence of sanitary science as true foreboding; and if Anglo-Saxon settlement be hopeless, what sort of dominion must that be, sustained by arms alone, of a short-lived and reckless army of inferior soldiers, made up from recruits of inferior skill as well as of inferior bodily stamina,—an army unsupported by any native Anglo-Indian population, backed only by a British population made up of mere adventurers, who go to India heedless of the inflictions of a baleful climate, for large gains ruthlessly obtained to compensate for the extreme hazards of even a short stay in the country? I aver that sanitary science is now so advanced that by its competent and efficient application these consequences may be averted. With the view of ascertaining the effects of localizing causes on the health of soldiers, I addressed questions, more than twenty years ago, to Sir James McGregor, the medical chief of the army; and consulted other authorities, concerning the avoidable causes of sickness and premature

death in every climate where they are stationed. For the service of a sanitary Commission for the protection of the West Indies against the cholera, and for questions of quarantines, it was my duty to study the evidence in relation to the origin of diseases in the tropics; and for the investigation of the origin of the Asiatic cholera it also became my duty to examine a number of experienced medical officers, observers of the production of epidemic disease in India itself. But although I thus feel justified in asserting as confident an opinion on the effects obtainable from the application of the principles of sanitary science in the East, as I did in respect to the application of those principles in the first instance to protect and then to retrieve the army in the Crimea, my request is simply for careful and due attention to the evidence available on the subject. That evidence will justify the assertion, that by the application of sanitary science, the sickness and the death-rates of the soldiers in times of war, as well as in peace, may be reduced more than one-half, and the duration of regiments raised in England may be more than doubled, whilst infantile mortality may be reduced so far beyond any common calculation as to ensure as good settlement at least as in any colonies within tropical latitudes.

In respect to the power of European races to live and settle in India, it is to be observed, that there is no reason to suppose that the human constitution cannot sustain, in what here we should call good health, the solar heat, if it be simple heat; but what it does not sustain here any more than there, is atmospheric impurity, arising from the decomposition of animal or vegetable matter, or the vitiation of the air by human beings, overcrowded, living in close apartments or in stagnant atmospheres. Whether it be in a hole in Calcutta or a swamp or a jungle near the banks of the Ganges, or a mass of the working population crowded in rooms polluted by the middensteads of Manchester, or here at Liverpool, the chief causes of excessive disease are essentially the same; excepting that on the Ganges the heat of the sun is greater, decomposition is more active, and the causes of the pollution of air more rife and powerful, and their noxious effects more rapid. In Calcutta the ordinary death-rate amongst the Hindoo population, as I gather from good medical testimony there, is between forty and fifty per 1000. But particular streets and places in Manchester have been pointed out to me where the death-rates are as high as sixty per 1000. In what may be termed a small Indian provincial town, the town of Chittagong, the death-rate of the general population is reported to be twenty-five per 1000; but the death-rate of the general population of Liverpool is now reported to be twenty-eight and twenty-nine per 1000 at the least, and in Manchester thirty per 1000 at the least. In those parts of our cities where the air is vitiated by the evaporation from cesspools and middensteads, from drains or sewers of deposit, or from overcrowding and bad ventilation, the Anglo-Saxon race does not thrive, and the population is only sustained by immigration. In the less insalubrious rural districts you will find labouring populations who can count descent from remote periods.

Here amongst our Lancashire population you may, I believe, find rural labourers as well as small farmers living on the same farms where their ancestors lived centuries ago, and whose names are to be found on the muster-rolls of the army which fought at Flodden. But take a close town district, and you will find that not half the people were born within the district, and that the parents of those who were, came from the rural districts. According to the census of 1840-41, one-half of the inhabitants of the ancient district of the city of London were not born within the county. Those whom the rural born inhabitants had succeeded (for the population within the walls had not increased) had disappeared, not by emigration but by death.

In such old and ill-conditioned districts, proverbially the 'graves of populations,' there are classes notoriously stationary, and there is very little counting of ancestry, and where, as at Manchester—of all who are born, nearly fifty per cent. are in their graves before their fifth year, and Liverpool, where the average years of life are not more than twenty-two,—the race is doomed to disappear under their existing sanitary conditions. In India, and in tropical countries generally, although the localizing causes of mortality are more definite and more active, they are also more marked, and hence they are with care more certainly avoidable. Thus it is frequently known within what distance from the ground persons may sleep with safety; within given districts, a foot messenger cannot safely traverse, but a man on an elephant may; in some places ground floors are dangerous whilst upper floors are safe. In Calcutta, the wealthier inhabitants sleep in the upper floors of their houses. I remember an English medical officer pointing out a mist which was visible at evening tide, and observing that that mist covered his patients of a certain class, and that out of it he had scarcely any other calls for his services than for midwifery cases and accidents. As land drainage has advanced, these mists have been lowered and ultimately removed. In India and the tropics the night evaporations or mists are more powerfully noxious and constitute malaria, but they are equally removable. The dry heats enervate, and by enervation to some extent predispose to the action of causes specifically noxious; but of themselves, and apart from any sources of atmospheric impurity, they are not chargeable with the prevalent excessive tropical sickness and mortality.

The next sources of diseases are what may be called the created impurities of barbarous and filthy populations, of which a sufficient account was given by a lady traveller in India, who travelled much at night, and who stated that she knew when she came to a native town by being awakened by the stink. The medical reports state that some low winds bearing the effluvia from the filthy villages, are marked by disease amongst the inhabitants of better conditioned districts. The diseases of Bengal, says Dr. Strong, are nearly all produced by malaria. 'We find,' he says, 'the baboo of both Calcutta and the Mofussil passing through a life of disease and misery, and dying early in life, somewhat similar to our European barons of old, who are said to have seldom attained to an advanced age, the filthy

moats surrounding their castles being supposed to have been the main cause; so here I have often had occasion to remark in and about the houses of the natives sufficient cause for all the mischief.' 'In the suburbs of Calcutta the drains are badly kept, water does not find a free passage in them, and amongst crowded gardens full of marshy places surrounded by jungle, the free circulation of air is prevented, while the decayed leaves and vegetable substances thrown into the stagnant water create malaria and produce fever; few of the labourers, peasants, and poorer classes of people living in the suburbs escape its effects, and even the higher classes are attacked with it, and a large portion of them fall victims to it.' He then says, after giving a number of illustrations, 'Since writing this, Prince Sooroorooden has been carried off by diseases, I believe, produced entirely by the filth of his habitation. He allowed the most noxious jungle to grow all round his house, up to the very doors and windows. I could not prevail upon him to remove this, and I have taken several gentlemen to the spot to show what a magazine of malaria existed, and how wonderful it was he could be preserved within it. His diseases were fever, neuralgia, latterly partial insanity, and he died in an apoplectic fit.'

The surface heat of stations and sites of settlement may be mitigated by cultivation, and in stations, by cultivation within the power of troops themselves. It is observed by Mr. Jefferey, 'The character and state of the land round a station is of more importance than is by many supposed. Not only are swamps and low jungles in general unhealthy, as is well known, but barren land becomes in the hot season arid and intensely hot, materially increasing the heat of places to the leeward of it, while in the rains it is commonly covered with pools of water rank with a transient vegetation which decays on the spot afterwards. Whereas a soil levelled, ploughed, and irrigated moderately from wells, bearing a grain cultivation, which is cropped and carried off the ground when it is ripe, and in the rains not allowed to be planted with a crop of too high and rank a growth (there being no want of plants of a suitable character available and equally profitable), will be found, I believe, so far as my opportunities of judging authorize an opinion, not only the most refreshing to the sight, but also the most salubrious condition for land surrounding a station.'

The *rationale* of this is simple and conclusive, and instances might be given on a large scale where this has been demonstrated. In some places cultivation may be pursued with safety, in others opening up new ground for cultivation is opening up graveyards—that is to say, in the absence of sanitary science; which science, whether for military or civil purposes, would, it may be shown, either avoid or provide efficiently against such results. It was alleged that some of the Turkish race had died out, under the effects of climate, in some parts of Egypt; but since the land has been brought under good cultivation their children have lived and the population increases. The white population in Jamaica has been diminishing of late, and upon this

fact the inference has been raised, that the climate is unsuitable to the whites, that they must disappear, and that the black race must ultimately predominate: but a member of the House of Assembly has given me an instance of a small white colony of frugal Germans, forming a parish, who have settled there, and cleared and cultivated the land, and under that clearance and cultivation their children live, and the population has multiplied, and afforded a demonstration of the practicability of white settlement and of white labour more efficient and really cheaper than the slave labour, or even than the free labour of the black.

Instances of the like kind may be given from the East Indies, of the improvement of the climate with improvement of culture, and evidence to the same effect was recently presented before a committee of the House of Commons from settlers themselves, who declared that they had obtained as good average health as the average in England; and this may well be, without their having attained the limits which sanitary science would extend to them.

In respect to habitations, whether of barracks for soldiers or of houses for the civil population, sanitary science has efficient means of prevention available for the greater needs of the residents in India. By one able mechanician in Paris, Mons. Leon Duvoir, ventilation as well as warming for the habitation of numbers is obtained, in some public establishments, with an economy as well as exactitude, exceeding anything I have met with in England; and not only of warming and ventilating, but of cooling and even refrigerating as well as ventilating, which will, during excessive heats in the tropics, give the means and the strength of refreshing sleep, and this not merely to the occupant of the palace, but to the private soldier as well as the humbler settler.

By sanitary improvements in dress, excessive heat and the sudden changes of temperature may to a considerable extent be obviated. Mr. Jeffereys, who has paid great attention to the subject of dress, alleges, apparently with good reason, 'That when a man is 'struck' by the sun, there is in general no better reason for it than for another's being drowned through shipment in a leaky vessel!' The death-rate amongst the Mussulman population of Calcutta—as given to me from a trustworthy source—is little more than twenty-six in a thousand, or less than that of Liverpool, and six in a thousand less than that of Manchester; and it is a rate at which children may, with our own grievous sacrifices, be brought up, and a colony may make progress even if no better sanitary condition were practicable. This Mussulman death-rate of population marks, at all events, what is not due to climate, but to habit, and low sanitary conditions in the death-rate prevalent amongst the Hindoos living in the same climate and precisely the same locality, which is double, or fifty in a thousand. If the common inference of the unfitness of certain races for settlement, from the fact of new settlers being attacked more than the natives by prevailing epidemics, were true, the like inference might be raised as to the unfitness of the Anglo-Saxon races to settle in other than their own counties of England itself, for when in the

administration of the new poor-law, we moved some of the South Saxons, as those of Sussex, or the East Anglians of Suffolk, pauperised labourers, to the northern counties, we were surprised by the claims for relief on account of excessive sickness; and we found that if there were any prevailing epidemic (small-pox or other) whatsoever, the new comers were sure to be attacked by it more than any of the native population, and this in some instances to an extent which was a serious obstruction to the migration of labourers' families. But this liability of new comers is only a premonition for the more careful exercise of sanitary science in preparations by which the predisposition may be effectually met, whether in a tropical or a temperate climate, and met so as to dispense with that tax of excessive sickness and mortality which is commonly conceived to be necessary for the acclimatization of settlers. We have received much evidence from Indian medical practitioners, as to the very great extent of removable or preventable causes, and therefore of the extent of efficient preparation practicable for safe settlement. I may refer in illustration of this testimony to a paper given in the Transactions of the Statistical Society, by Mr. J. R. Redford, an Anglo-Indian surgeon, on the death rate of twenty-six in a thousand prevalent amongst the general mixed native and European population of Chittagong, in which he shows upon his own local observation, that half of the diseases of which the death-rate is made up are preventable there, which we well know to be preventable here.

But the urgency of our military service demands the first attention in the practical application of sanitary science to the protection of our British soldiers, on whom our dominion in India depends.

The general observed effect of any epidemic atmospheric condition into which chemistry has yet given us no insight, though much is promised by Dr. Angus Smith, and which condition we only indicate from effects, is as it were suddenly to make all the population old; to make young and strong men aged and comparatively feeble; and to render dangerous any errors or irregularity in diet, which may be committed with impunity under ordinary circumstances. The general effects of excessive solar heat, which it must be admitted lowers the general strength, may, from the testimony I have received, be stated to be similar to those of extraordinary epidemic atmospheric conditions here, and to demand the like care against excesses, and the like care is as effectual in prevention. But whilst the rudimentary measures of prevention, not to speak of the combined applications of sanitary science, require greater care in India, the classes who emigrate, and our soldiers, and a large proportion of their leaders, appear to take less than ordinary care, and are even more reckless there than under less dangers at home. I might present examples from India as exhibiting the production of results arising from the want of sanitary knowledge or efficient administrative arrangements for its application, but as a comprehensive example of what is commonly ascribed solely to climatorial causes in our troops,

I give the following from Dr. Bone, an eminent army medical practitioner, in the shape of a recipe for the production of a fever, a compound of potent Eastern elements :—

'Take,' says he, 'of soldiers lately arrived in the West Indies any number; place them in barracks in a low wet situation, or in the mouth of a gully, or on the brink of a dry river, or on the summit of a mountain, and to leeward of a swamp, or of uncleared ground, and where there is no water, or only bad water; give them each only twenty-two inches of wall in their barrack room; let their barracks be built of boards or lath and plaster, and have neither galleries nor jalousied windows, but close window shutters, and a hole or cellar under the flooring for containing mud and stagnant water, and holes in the roof for the admission of rain, and the windows only eighteen inches from the floor, that they may be obliged to sleep in the draught of air; and let them have drill every morning on wet ground and when fasting; guard mounting, and all kinds of fatigue, not in the morning or evening, but during the hottest time of the day; when on sentry, no shed to keep off the direct rays of the sun; bad bread, putrid meat, few vegetables, plenty of new rum, especially in the morning; discipline enforced by terror and punishment, not by mind and prevention; an hospital similar to the barrack room, without offices, always crowded, plentifully supplied with rum, scantily with water, and so ill-regulated that the men dread to enter it; a firm belief in the doctrine of contagion, and a horror of approaching any person affected with yellow fever. Let these directions be attended to in Trinidad, or even in Barbadoes, and especially when the air is stagnant, or charged with noxious vapours subsequent to long drought, the soldiers will soon die, some of them of yellow, some of them with black vomit, and those first in the rooms where these directions have been most carefully observed.'

To illustrate the practicable gain of health and strength by care, as against one excess alone, and that the large one, the bane of the uneducated and ill-trained British soldier, excess in drink,—I beg leave to call particular attention at this time to the following medical returns of sanitary results, to which I add those of moral results shown in rates of punishment, obtained amongst 5710 of the European troops of the Madras Presidency in 1849, when, by the zealous exercise of influence amongst them, a proportion of them had been persuaded to become teetotallers, and others of them had been got into habits of temperance.

	Ratio of Admissions to the Hospitals. Per Cent.	Ratio of Deaths. Per Cent.	Ratio of Punishments. Per Cent.
Teetotallers	130·888	1·111	23·695
Temperate men (*i.e.* ordinary)	141·593	2·315	58·720
Intemperate men	214·861	4·458	170·978

Of the 1st Madras Fusiliers, Colonel Sykes states :—

'There was a teetotal and temperance society in the regiment, and with an average strength of 892 in 1847, they lost only six men. Crime

was comparatively rare, and the men were respectful and well conducted. In a troop of horse artillery at Jaulna, consisting of 102 Europeans, the medical officer reported that the internal economy was so good that intemperance was rare, and other crimes so few, 'that not a case has required to be brought before a court-martial for the last three years. This is almost marvellous. One hundred and two common European soldiers without a court-martial punishment amongst them for three years! In the southern division, there was only one death in 1837 in a company of artillery of fifty-three men, and in a European regiment in the same division 945 strong, there were only twelve deaths, at the rate of 1·27 per cent., an absence of mortality not equalled by a regiment in Europe.'

In respect to the standards of health practically attained in Europe, my gallant friend has not been conversant with the applications of sanitary science to the protection of armies, or he would have been aware that death-rates of half that rate have been maintained by means attainable here, by improvement in sanitary administration, which may make that prevalent which applied science has proved to be practicable.

I might adduce other evidence to show, as is done in this particular instance, the fallacy of the prevalent military as well as civil conclusion which attributes the ordinary death-rate in India of upwards of forty-four per 1000 as due, not to administration, but simply to climate. Not even the reduced death-rate of nearly twelve in a thousand, as presented in the above example, can be ascribed as due wholly to climate; for analysis of the causes of the average twelve deaths shows a large proportion to be preventable. Dr. Boudin, a French military surgeon of extensive experience, who has studied sanitary science practically more than any medical officer whom I know upon the continent, and written upon it the most able papers, gives me the example of a death-rate of six in a thousand, obtained amongst the Engineers of the Prussian army; and states that there are corroborative practical instances in the French army. He agrees with me that a death-rate of six in a thousand is a sanitary standard to be set up as a test of home administration; for seven in a thousand has been extensively obtained in the navy under more difficult conditions of the 'massing' of men closely together. And in respect to this death-rate of seven in a thousand in our navy, and also the death-rate of six in a thousand in the continental instances given me by Dr. Boudin, when we analyse the causes we find a considerable proportion of them are now clearly known to be preventable. In strict theory, amongst men who are selected for their perfect health and strength, for their youthful vigour of life, the deaths should be only accidental, and there ought to be no constantly acting cause or regular disease productive of any regular death-rate whatsoever. In particular prisons under good sanitary regulations, this has in fact been achieved, in respect to *spontaneous* disease arising in the prison itself. The death-rates amongst the *unselected* populations have been in some places reduced as low as two and a half per thousand, and those arising chiefly from causes

brought into the prison. In India without proposing or expecting to bring up a whole army to habitual teetotalism, we might expect it to be brought by good and merit-appointed commands to approximate in habit to the standard of the temperance corps. If to the gain practicable from this one source—the improvement in habits—we add those available from the application of sanitary science to works, to sites for stations, camps or cantonments, to habitations in barrack, in huts, or canvas—the improvements in diet, in dress, and in training, I believe the medical officers of the most extensive observation of the causes of disease in India would agree, that I do not take too high a practical standard, than the one of which I have given an instance of actual attainment of 12 in 1000, as the one which should be required to be maintained in India. In illustration of the saving practicable from the application of sanitary science, I may state that supposing the home force to consist of 123,000, there are now always in hospital at home an average of 48 men per 1000 or 5904 men deducted from the main strength by sickness. By sanitary measures the sickness might be reduced to ten per cent., which is greatly above existing sanitary standards, or the total number constantly in hospital might be brought down to 1230, being a gain of 4674 men, equal to four battalions of main force. At the average home death-rate of 17·9 per 1000, the annual loss is 2201 of men enlisted as young and strong and of perfect health. If we reduce the death-rate only to—the really high one—of 7·7 per 1000,—the death-rate prevalent amongst unsettled and unattended civil adult populations of the healthier districts in England, we shall reduce the annual home mortality of that same army from 2201 to 947, and save 1255 men—more than the annual loss from the sword in the field during the twenty-one years' war—or a whole battalion. In India the saving of force from the hospital would be enormous, and full two-thirds of the invaliding and terrible death-rates. I have no reason to believe that the existing Indian Government will not act in compliance with the evidence it receives and in conformity with the public opinion; but it is now for the public, acting upon its representatives, to support the Government, insisting upon making generally prevalent that which sanitary science has demonstrated to be practical and applicable. For administration it is requisite clearly to perceive that sanitary science requires special aptitudes and special training for the preventive physician, and also special training for his executive coadjutor the sanitary engineer. The present obstacle to progress in the army administration is the want of understanding that the preventive are not included in the curative functions, but are perfectly distinct, and require distinct attributions and independent executive arrangements. The great sanitary lesson in the Crimea was given by the employment of specially trained and selected sanitary physicians, and specially trained and selected sanitary engineers, comprising a preventive staff, distinct in action as well as in service from the medical or curative service. The army medical chief in the Crimea was reporting the curative service

to be proceeding satisfactorily, whilst a horrible death-rate was presented there, of the preventability of which it is to be hoped he was ignorant, for if not so, he was highly culpable in not making suitable representations at the time. The preventive service, the sanitary engineers, as well as the sanitary physicians, saw, however, what was to be done; and instead of profiting by the great administrative lesson given by the results of the independent action of this rudimentary preventive organization, the triumphant results of which were acknowledged by the Prime Minister in one House and the War Minister in the other, instead of fostering it carefully, encouraging the cultivation of the new service, and extending its application; those who, at the best by omissions had failed to save the first army, but who often by culpable neglects had contributed to its loss, were promoted and honoured; whilst those who had maintained the principles and advised the means by which the army was restored, were dismissed unhonoured, and as if *they* were leniently dealt with in not having been punished. Everything at home has returned nearly to the former state of things, as proved before the army sanitary commission, or as proved more decisively by a return to a death-rate double that which obtains amongst civil populations, amongst whom there is great room for improvement. The old medical or curative interest which was placed upon that commission, has in its jealousy succeeded in excluding any arrangements for the creation of the requisite distinct and independent preventive service. Some barren preventive *generalia* have been prepared, but the army death-rate of double that which sanitary science has proved to be practicable under competent hands, yields its own demonstration of a return to the old state of things at home,—a loss of four battalions of strength by excessive sickness, and one battalion by preventable mortality—a state of things at home which must again expand into disaster in the field in Europe, and is now rapidly melting away our heroes in India. To those who are interested in our civil settlement and the progress of our commerce in India, I would urge, that for the formation of civil stations or towns in which the days of Anglo-Saxon industrial population may be long in the land,—which it is to be hoped Providence may have given them for its civilization,—it is in the first instance necessary for safe and economical dominion, that the stations of troops may in their sanitary condition be made such as to insure healthful residence, and make manifest what may be done for the better preservation of a civil population. The public attention has of late been strongly directed to the formation of sanatoria on elevated hill stations. Where there are sick, I should of course join in the requisition for their immediate treatment, just as where there are victims of malaria, ague patients, or fever cases, I might join in the requisition for good sanitary hospital accommodation, before even considering of sanitary works for the drainage of the marshes out of which the sickness may have arisen. In one form sanatoria may be used preventively; for it is a maxim of prevention, enforced by Dr. Boudin for application to the army, that prolonged residence of troops in

stations known to be unhealthy should be avoided, and that changes of stations should be made from time to time, from stations which are less healthy to others that are known to be more healthy. The proposal of sanatoria by themselves is otherwise merely a curative measure—and frequently not effectual as a curative measure for want of sanitary knowledge and preparation. For want of special sanitary preparation in the drainage of sites and the sanitary construction of dwellings and barracks, the exchange of station is frequently from an atmosphere which is hot but dry, to one which is cold but damp, which entirely defeats the theoretical expectations of the curative physicians by whom it has been proposed.

But it is necessary that further illustration should be given of the special qualifications requisite for conducting efficient sanitary measures.

It is almost incredible what very simple and apparently commonplace sanitary operations it is dangerous to leave to be done, without qualified superintendence, near the sick, or indeed near the healthy during the epidemic periods. Nothing would seem so simple as mere ditch-cleansing. A physician considered that the atmosphere of a hospital would be improved if some foul ditches were cleansed, particularly those near a lying-in ward, and he left orders for the work to be done. He was shortly afterwards recalled by a fearful and extensively fatal outbreak of puerperal fever in the ward intended to be protected. The foul ditches had been cleansed, but the cleansing had been done by spreading their contents on the banks, thus augmenting terribly the noxious evaporating surface. It formed one part of the labour of the General Board of Health to deprecate such cleansing during the cholera, unless under competent superintendence of some one who could judge of the right times—that is, the proper barometric conditions, and the use of chemical agents—and who could direct the mechanical applications of them; and such competence even to direct safe ditch-cleansing in such atmosphere and in such epidemic conditions we found to be by no means common. Whilst the medical or curative service took out with them to the Crimea, as was proper, their medicines and the means of dispensing them, and their hospital appliances, or intended to take them out, we, when advised with as then representing the new preventive service, united the sanitary physicians with the sanitary engineers, and they, knowing what they would have to do, and having such experience as we have adverted to, took out with them a disciplined staff of highly paid foremen of scavengers and of artificers, on whom they could rely for the discreet execution of their prescriptions. Still greater is the need of special qualification for the larger preventive operations or sanitary works. The general engineer who pretends to deal with these new and special works, whether in a single house, a hospital, or a whole town, is often merely an empiric, doing, unwittingly, the work of a ruinous quack. If he engage to introduce pure water, whilst pure natural or artificial spring water supplies are available, he brings in the surface washings of fields and market-garden lands, and flood waters

of rivers charged with organic impurities, which no filtration, however expensive, will completely purify. If he obtain water from an unobjectionable source, he deaërates it by detaining it in large stagnant reservoirs, where it collects organic impurities, which he pretends to remove by filtration, but does not; and he further deteriorates it by detaining it in the houses in butts and cisterns, where it collects soot and dust, and in the premises occupied by the poor placed near over the dust-bin or the cesspool, absorbs deleterious gases, which make it nauseous to the taste and drive the inmates for refreshment to the beer-shop. Having brought the water into the premises, he does not consider it to be 'his place' to provide for the removal of the waste or foul water, and commonly leaves it to make the site of the poorest houses a swamp: but if he be engaged to remove foul refuse, and to drain edifices, he will disdain any adjustment of the channels to the work they have to perform, *i.e.* to reduce charges. To channels which are smooth, and small and impermeable, he will prefer channels which are large and rough and permeable,—mere sponges which commonly let out the foul liquid which they ought to discharge, and always detain that which is intended to be removed, and accumulate it as deposit to decompose under roads and houses,—which houses are so formed as to act as inverted receivers of the foul gaseous products. His art only enables him to throw the foul water or fæcal residue as an additional source of pollution into the nearest river which is to serve as a source of domestic water supply. And all this is done at from two to three times the expense at which it may be shown on practical data the defined ends may be attained by efficient means. If he, or the common military engineer, be directed to drain a camp, the odds are that he will carry the foul water to the source of the water supply. If he have to bring water to a camp he will deteriorate or befoul it. We have seen a recently constructed camp, where a well was sunk for a water supply in a permeable sand within so short a distance from a large cesspool as to be certain to be contaminated; and the cesspool itself placed so near the soldiers' sleeping huts, that in some atmospheric conditions, they would be affected by the noxious effluvia from it. It is frankly avowed that military engineering does not comprehend the new requirements of hygiene. Thus Captain Laffan, R.E., the Deputy Inspector of Fortifications, when examined by the Army sanitary commissioners was asked:

6770. President. 'In the instruction of engineers is there much space given to questions of civil engineering. I mean does their education comprise questions of sanitary engineering?—Architecture is one of the chief elements of the education of a military engineer, but civil engineering has not been very much taught.'

6771. 'Is sanitary engineering attended to?—I hardly know what that means.'

6772. 'Questions of drainage, sewerage, and ventilation?—I should think that ventilation has been very little considered by anybody in England up to the present time.'

This is good, frank soldierly evidence, but as illustrative of the state of the question, it is proper to observe that this same officer, as Deputy

Inspector of Fortifications, is consulted in relation to the structural arrangements of barracks, and military hospitals, and was consulted in relation to the plan of the Netley Hospital.

'Can you state how the choice of the site was made there?—In this way. Lord Panmure told the Inspector-General of Fortifications, that he wished an officer of engineers to be sent to him to advise him as to the choice of a site for a hospital. I was not then connected with the War department, and Sir John Burgoyne wrote to me, and by his direction I waited upon Lord Panmure, and he told me the Government intended to establish a large military hospital capable of containing 1000 patients or upwards, and he was very anxious to select the best site for it. He stated that he considered a hospital would be best situated in the immediate vicinity of the sea, so that invalids coming from warm climates, sick or wounded men coming from any war, should be sent from the ships to the hospital at once with the least possible jolting and delay, and he considered it would be another great advantage if that hospital could be situated in the immediate vicinity of some of our great naval stations, so that the steamers coming in and out could carry out the service of conveying these men to the hospital.' All very fair this in design, but for its execution, the Deputy Inspector of Fortifications was aided by such preventive knowledge as that possessed by the army medical, *i.e.*, curative department, and the result was the selection of a site excessively and at times irretrievably moist; being against one first axiom of sanitary science, that one of the conditions lowering the strength even of the healthy is damp in any form, and one of the primary preventives, dryness of the atmosphere. The intended site for a hospital would have before it ten square miles of evaporating surface of mud, and we are informed that it turns out upon analysis that that mud contains twenty per cent. of animal and vegetable matter. Dr. James Brown Gibson, C.B., states to the commissioners:—'Since I first heard that there was to be a hospital built at Netley, I thought that it was an unfortunate selection of a site for it.'

9139. 'That it was removed too far from the great civil schools?—I think that the site is not a good one; it is on the bank of a large tidal river. There is a large surface of offensive mud exposed at low water, and on each side of it there is marshy ground.'

9140. 'Are you acquainted personally with the site?—Yes; I have visited it, and looked at it very particularly.'

9141 (Dr. A. Smith). 'Where is there marshy ground?—On both sides; there is a wet meadow between it and Lady Webster's grounds, now being drained. It is intersected at this moment with trenches to drain it, and on the other side, as we approach it from Southampton, is all along at intervals, on the right hand side, with flags, &c. growing in it.'

9142 (President). 'You do not apprehend that Netley, though in a relaxing climate, is more unwholesome than Southampton, or the adjoining country?—I think that Southampton is not a good climate for the class of cases that would be in that hospital. The great majority of sick there, if it is to be as Chatham has been, would

be invalids from the East Indies, Ceylon, and the Mauritius, and all our tropical possessions, and they want a dry, warm, bracing climate.'

It may excite no surprise that the proposed outlay for that one hospital was nearly a quarter of a million sterling, and that 119,000*l.* having been expended upon it, in consequence of the evidence adduced, it is proposed to be, as it most certainly ought to be, abandoned. Of course the site may be improved, and medical and other opinions have been got in its favour, but those opinions, or all the curative or medical opinions in the world, will not alter the effect of the evaporation of ten miles of exposed surface of mud, or make the atmosphere otherwise than moist, or make the effect of that moisture upon the sickly patients otherwise than depressing. In India we find similar examples. Here in England we have ascertained that the practice of irrigation by the method of submersion, by which meadows are created into marshy surfaces, is productive of the rot in sheep. In Italy, to which I directed the attention of an Indian engineer, who has written on the subject, where the sun is more powerful, the effects of the malaria are more marked. It is frequently forbidden to irrigate by submersion within six miles of habitations. In India the like effects, by the influence of a still more powerful sun, are still more marked. In a recent engineering work for irrigation spreading for 1400 miles between the Ganges and the Jumna, it was found all the way along that the proximity of the habitation of a native to the intensity of the malarious influence of these insanitary works, was denoted by the external size of the diseased spleen, and its external manifestation was adopted as a test, and it is now called there the 'spleen test.' In India, I am assured that in hospitals constructed by common military engineers without any sanitary guidance, from errors as to the aspects, the patients are stated to be roasted by the sun in their beds; and I am informed of one instance recently, where patients lying in their beds have actually had sun-strokes, and died from them. [Mr. Chadwick then gave instances of the sanitary improvement of the sites of camps effected by the labour of soldiers under sanitary direction.]

In illustration of what under competent command soldiers may be made to do for their own stations, I might adduce examples from the East Indies; but I cite the following practical examples from the West Indies, because they are given by Dr. Robert Jackson, a military physician, who had long served in the tropics, and who had evidently mastered some of the elements of sanitary science displayed in his work On the Economy of Armies.

'French soldiers,' he says, 'natives of France, previously to the Revolution of 1789, formed all the great roads, and constructed all the aqueducts which convey water through the plains of St. Domingo, for the irrigation of the cultivated lands. In the execution of a work which required long and continued labour, they were exposed to the sun for the whole day as labourers are in Europe. They toiled—they sweated under toil; and they were brown in colour as

Mulattoes. They experienced little sickness while so employed. When they returned to the towns, to idleness and ease, or to revelry and good living, they suffered from sickness, and died in numbers like the soldiers of other nations. From this testimony, and it is of good authority, the value of exercise, even of hard labour, is proved decisively to be preservative of health; and on this ground it is suggested that a train of such exercises as are calculated to act favourably on health be digested systematically, and rigidly enforced in practice through all ranks and conditions of the army.' Page 407-8.

To what is stated of the labours of the French soldiers in St. Domingo, the writer is enabled to add some facts which occurred amongst the soldiers of the British army, in the Windward and Leeward islands at different periods of the late war. The second battalion of the Royal Scotch regiment was sent to garrison the Island of Tobago in the year 1803. There was at that time a swamp to the windward of Fort King George, which was of an offensive kind, and supposed to be the cause of great sickness to the troops. The commanding officer, who would appear to have been a man of some decision and good sense, took upon himself to drain it by the labour of the men. The corps had recently arrived from Europe, and was susceptible of disease as new comers usually are. The work was undertaken, executed in a short time, and the health suffered nothing in doing it; it was even said to have been good during the continuance of the labour. It was reported at head quarters, that the health of the Royals was endangered by exposure to labour and fatigue in the hottest hours of the day. This was not the fact; but it was thought it must be the fact, for the reason of things was not understood at head quarters. The labours of the corps were suspended; and as a measure of care, the barracks were ordered to be shut during the heat of the day; the hospitals were soon filled with sick.

The writer ventures to say, by fair induction, that if the soldier in the West Indies, instead of being restricted from labour, were permitted to do for himself whatever he is capable of doing, his health would suffer much less than it does now, the mind would be more occupied, there would be more satisfaction, and fewer of those causes of temptation which in idleness lead him into error. In countries where the materials for erecting huts abound, the soldier is capable, with very little assistance from professed artisans, of erecting his own dwelling; he has done so on some occasions, even in the West Indies. The 13th Regiment of Foot was put into huts on Bouillè height, soon after the capture of the island of Martinico, in the year 1810. The huts, as of flimsy structure (nearly wigwam), had frequent occasion for repair, the labour connected with repair, that is, cutting and dragging the materials from the woods, while it gave employment, and a species of exercise which apparently contributed to the preservation of health, gave an interest in what was done or doing: the work done brought comfort to the person who did it. The soldiers of the 13th Regiment formed an attachment to their dwellings, because they were kept in repair by their own labour;

and while they were thus attached to their dwelling, they formed a more intimate society with one another in the small domestic circle than is common in spacious barracks. They were delighted to dwell in huts, evidently so much delighted that had they been ordered to remove from them to the most magnificent and best equipped barrack in the command, they could not have concealed their chagrin. The soldier is at home in a hut; he is like a shepherd's dog in a royal kennel in a palace-like barrack. The huts on Bouillè height were placed on the lee, under the summit of the ridge. As such, they were screened from the direct impulse of exhalation from the Lamentin swamps. The occupants, though they had their tours of duty at Fort Edward and other exposed places about Port Royal, were not, upon the whole, unhealthy. When the regiment embarked for Canada, it left only one sick man in hospital.

I might give instances, on a large scale, that this which is attested by a physician of sanitary prescience is, *mutatis mutandis*, under proper command, applicable to the healthful military occupation, and through such healthful military occupation, the means of the healthful civil occupation and settlement in India. If the rudimentary sanitary principles laid down by Sir John Pringle, in his statement of his medical experience during the campaign in Flanders, in the middle of the last century, had been duly considered, the insanitary disaster of Walcheren would have been avoided—if the lesson given by the disaster at Walcheren had been properly attended to, two-thirds of the losses incurred during the Peninsular campaigns might have been prevented; if the experience of the Peninsular campaigns had been properly consulted, of which due warning was given, the disaster of the first year of the Crimean campaign would have been saved. But in the Crimean campaign, in addition to the warning from disaster, there has been given the lesson of the great sanitary success in prevention. It is for the public, acting through their representatives, now to determine, whether that lesson shall be lost for our army in India and for our Indian Empire.

Influence of Marriage on the Mortality of the French People.

By William Farr, M.D., F.R.S.

THE changes which age induces in the vital forces have been calculated. The differences in the mortality of the two sexes are known. Men have investigated the effects on life of air, water, hills, plains, and marshes—of the sun in various seasons and climates—of food, animal and vegetable—and of alcoholic drinks. The fatality of foul exhalations of every kind has been made manifest.

But the life of man is affected by still more subtle agencies. The action of the various parts of the body in industrial occupations produces specific effects. Every science modifies its cultivators. The play of the passions transfigures the human frame. How do they influence its existence?

These are some of the higher fields of speculation which have not yet been explored by sanitary research. I have now, however, to submit to the department the results of an inquiry into intermediate phenomena.

The family is the social unit; and it is founded in its perfect state by marriage. The influence of this form of existence is therefore one of the fundamental problems of social science.

A remarkable series of observations, extending over the whole of France, enables us to determine for the first time the effect of conjugal condition on the life of a large population.

The French people may be classed in three great groups, exclusive of minors under age:

I. The married, consisting of two groups: (*a*) Husbands, 6,986,223; and (*b*) wives, 6,948,828, making a total of 13,935,051.*

II. The celibate, who have never married—namely, (*a*) Bachelors, 4,031,582; and (*b*) spinsters, 4,547,952, making a total of 8,579,534.

III. The widowed, in two groups: (*a*) Widowers, 836,509; and (*b*) widows, 1,687,583; making a total of 2,524,092.

Deparcieux, in the middle of the last century, investigated the relative mortality of monks and nuns in France; and he compared their life with that of Tontine annuitants, consisting partly of married and partly of unmarried persons. From the age of twenty to forty the mortality of the monks and nuns living in 'single blessedness' was lower, and after the age of forty it was higher than the mortality of the annuitants. The excess of mortality was considerable in the monks. The condition of these members of religious houses is at all times peculiar, and besides their vows of chastity involved a peculiar discipline likely to affect their lives. Many of them lived in Paris. We can now deal with the whole population of France, amounting, in 1851, to thirty-six millions of people, some dwelling against our southern coast, in Flanders, Picardy, and Normandy; some in Brittanny, around the rugged shores of the Atlantic; some in Orleans, Tours, and Nantes, beside the 'murmuring Loire;' some on the Garonne, wandering from Toulouse to Bordeaux, through that old Guienne, famous in our history; some climbing up the Pyrenees, or seated in Languedoc or in Marseilles, on the Mediterranean Sea; some on the rapid Rhone, in Provence, the seat of the old Courts of Love—in Lyons and in Avignon; some extending from the Alps and the mountains of Auvergne and the Vosges, over Dauphiny, Burgundy, Lorraine, and Champagne; and some living in Paris, Rouen, Havre, and the region around the Seine. This country, covered by its millions of small proprietors living on the parcels into which the soil was divided by the great Revolution—by cultivators of the vine and the olive in the South, of the apple and the cereal crops in the North—by pastoral families on the Landes and on the Mountains—by artisans and manufacturers in a few large cities, con-

* The French census includes many foreign husbands who have left their wives at home. The wives in Great Britain exceeded the husbands by 70,253 in 1851.

tained in the year 1851 nearly fourteen million married people of both sexes. What was their rate of mortality? Under the French law, young men of the age of eighteen, and young women of the age of fifteen, can legally marry. Of the few young married pairs living, the mortality in both husbands and wives was excessively high under the age of twenty. Twice as many wives under twenty died in the year as died out of the same numbers of the unmarried; and the mortality was much higher than it was among husbands and wives in the subsequent decennial of life. The result confirms the common opinion of the evil consequences of marriage in many cases under the age of twenty, before the growth of the individual man or woman is completed.

The wives of the next twenty years of age experience a rate of mortality half as high again as the husbands of those ages suffer.

The mortality of the husbands is exceedingly low, 6·5 and 7·1, while wives of twenty to thirty die at the rate of 9·3 in 1000, in rather higher proportions than the wives of the subsequent age, thirty to forty, when the mortality is 9·1. This excess is fairly ascribable to the sorrows of childbearing, and to no small extent to ignorant midwives.

At the age forty to fifty, the mortality of the husbands (10·3) is slightly higher than the mortality of wives; and so it remains higher ever afterwards, but the difference is not considerable.

Age.	Husbands.	Wives.
50—60	18.3	16.3
60—70	35.4	35.4
70—80	88.6	84.9
80—90	183.6	180.4

Thus, to 1000 husbands living at the age sixty to seventy, there are 35·4 deaths; to 1000 wives, 35·4 deaths. And so the old people go on in the table tottering down the hill till they 'sleep together at the foot.'

How fares it with the unmarried—the celibate?

At the younger ages under twenty, the mortality is, as I have already stated, much lower in the two sexes than it is in the married.

Age. Unmarried.	Males.	Females.
15—20	6·7	7·7 in 1000 die.

At all the ages from 20 to 60 unmarried men experience a much higher rate of mortality than unmarried women. The excess of the mortality of males at the age of 20—30 was in the ratio of 11·3 to 8·7. It was aggravated by the deaths of the soldiers dying in Algeria, and in the Casernes at home; but in the subsequent periods this element does not interfere to any extent.

Annual deaths to 1000 living:—

Ages of the Unmarried.	Males.	Females.
30—40	12.4	10.3
40—50	17.7	13.8
50—60	29.5	23.5

At the age 60 and upwards, the unmarried of both sexes are nearly equally mortal.

But how is it as between the married and the unmarried women?

Why at 20—25 the maidens have the advantage, and the difference is not inconsiderable.

Of 1000 Females.	Married.	Unmarried.
Annual Deaths	9.8	8.5

At the age 25—30 the mortality of the unmarried is slightly in excess (9.2 to 9.0). At the next age (30—40) the wives are the halest; the mortality of the wives being 9.1, and of the unmarried women 10.3. At the age of 40 the married women experience a much lower rate of mortality than the unmarried:—

	Married.	Unmarried.
40—50	10.0	13.8
50—60	16.3	23.5
60—70	35.4	49.8

and so it runs through all ages.

The contrast between the health of the bachelors and of the married men is still more striking; the young bachelors enjoying an advantage, the old ones suffering in the comparison.

Mortality per 1000 among *married men* and *bachelors*:—

	Married.	Unmarried.
15—20	*29.3	6.7
20—30	6.5	11.3
30—40	7.1	12.4
40—50	10.3	17.7
50—60	18.3	29.5
60—70	35.4	49.9

And after the ages of 80, the mortality of the two classes becomes nearly equal.

If unmarried people suffer from disease in undue proportion, the have-been-married suffer still more. At the ages under 40 the mortality of widows is higher than the mortality of unmarried women. At the earlier ages the mortality is doubled. At 40 and upwards their mortality is lower than the mortality of unmarried women of corresponding ages. At all ages widows are more mortal than wives.

Young widowers under the age of 30, and even under the age of 40, experience a very heavy rate of mortality; and after 60 the widowers die more rapidly, not only than husbands, but more rapidly than old bachelors.

This is the general result:—Marriage is a healthy estate. The single individual is more likely to be wrecked on his voyage than the lives joined together in matrimony.

In what respect do the married among the masses of the people differ from the unmarried classes?

Where the earnings of the two classes at the same ages are equal

* This is accidentally an exaggeration; the facts are insufficient.

the married man must have a smaller share of the means of living than the single man, for he shares his gains with his wife and children. His food and clothing may be of a lower description, or his lodging be more crowded; but this is often counteracted by his stimulated industry. The single man can move about more freely, and can carry his industry to the best market. Upon the other hand, his household comforts are less; the watchful care of a woman does not direct the economy of his dwelling; the very amplitude of his means exposes him to the temptations of intemperance and vice. His faculties fall, and sometimes rise, into excesses of various kinds.

The priests and the soldiers represent the unmarried classes. Men of letters, men prosecuting the abstract sciences, men of family and small means, probably figure in large proportion amongst their highest ranks: criminals, lunatics, vagrants, and mendicants among the inferior orders. If they contain some of the lowest, they contain also some of the highest members of their race, ascending from the idiot up to Newton.

The saying of the great Chancellor Bacon has in it a colouring of truth:—'Certainly the best works, and of greatest merit for the public, have proceeded from the unmarried or childless men, who both in affection and means have married and endowed the public.'

The wife shares the fortune of the husband; he is exposed to violence, she to the incidents of childbearing.

Nuns, religious sisters, many ladies of birth, are at the head; grisettes, courtesans, at the bottom of the unmarried troops—which figure also in larger proportion than the married among the female criminals, lunatics, idiots, deaf and dumb, blind and deformed. They include some of the loftiest and some of the lowest of their sex.

Is any part of the excessive mortality of the single in France referable to vice?

Yes; to vice and its attendant irregularities. Levy asserts that the colleges of France are infested by vices which induce debility, and death later in life. The French youth do not yet engage in strong athletic exercises, which it is well known are the safeguards of our public schools. Syphilis—the odium of the human race—induces half the sickness, and, indirectly, some of the mortality of the army, which in this respect fairly represents the unmarried population.*

Courtesans die of their various irregularities, but this class of causes operates chiefly in early life.

It is known to everybody that all the species of cultivated plants, and all the breeds of domestic animals, have been greatly improved in Europe. The improvement is partly due to the favourable conditions in which each kind has been placed. It is mainly due, however, to the constant elimination of imperfect types, and to the skilful selection of the finest individuals out of each successive generation. Now the same principle evidently regulates to a certain extent the

* See Acton's works.

marriages in France. Cretins do not marry; idiots do not marry; idle vagrants herd together, but rarely marry. Criminals by birth and education do not marry to any great extent; formerly they were executed in great numbers, or they perished in the prisons, and now the galleys interrupt their career.*

The children of families which have been afflicted with lunacy are not probably sought in marriage to so great an extent as others; and several hereditary diseases present practically some bar to matrimony. The beautiful, the good, and the healthy are mutually attractive; and their unions are promoted by the parents in France, who are usually on very friendly terms with their children, and often decide the choice of their daughters too absolutely and with too little reference to the affections. The Chancellor of the Exchequer, in one of his most delightful romances, tells us that falling in love at first sight is the only genuine way in which people do fall in love. But this is not opposed to the theory of selection; for it happens, as we see in the most authentic stories, that the lovers at first sight are invariably full of irresistible charms.

Selection then—not such as the Insurance offices exercise—but a certain selection, does reduce, to some extent, the mortality of the married.

And, upon the other hand, we shall be justified by our medical friends in admitting that a certain number of young women, and young men also, die directly or indirectly of disappointed affection—die of love, in fact. Some destroy themselves; others pine away most piteously; and others register secret vows in heaven never to marry.

Finally, it is held generally that the suppression of a physiological function is prejudicial to health, which our tables confirm, and at the same time qualify. Chastity in itself does not, as in the case of Deparcieux's nuns, raise the mortality of women under forty; and notwithstanding the consequences of vice in the vicious, the selection operating against the unmarried, and the pangs of disappointed love, the mortality of unmarried women in all France is lower than the mortality of married women. After that age the health of the nuns gave way to some extent; but this was, perhaps, as Deparcieux asserts, the consequence in that period of various kinds of austerities, an absence of personal cleanliness, and the want of little comforts which were found in the dwellings of simple artisans who knew how to keep their houses in order. The effects of religious chastity in France have been recently discussed by Dr. Mayer, who with some Catholic authorities contends that it has in itself no prejudicial effect; but this is not the prevalent opinion. Levy professes the contrary doctrine. I cannot discuss this medical controversy here. But the poets, where the affections are concerned, possess an insight almost

* Of 100 French criminals, 60 are unmarried. Two in three suicides are unmarried. Of 1726 women insane, 989 were spinsters, 291 widows, and 397 wives. (Levy, vol. ii. p. 74.)

divine; which is as true in its indications as analytic science. Virginity in the poetical creed was ever proof against danger; the lion would not harm the 'heavenly Una.'

> So dear to heaven is saintly chastity,
> That when a soul is found sincerely so,
> A thousand angels lackey her,
> Driving far off each thing of sin and guilt.

The body partakes of the soul's 'immortal essence;' but no sooner is 'defilement' let into the temple than the life grows 'clotted with contagion.' The reading of the allegory is evident. The poets, however, see all sides of character, and Shakspeare's *Parolles*, a 'great way fool' as he is, says all the evil that physiology has yet suspected in this estate. Lallemand describes vividly the sufferings of the French priests from celibacy—exposed to the fiery ordeal of the confessional. Vows of celibacy on the part of large bodies of young men and of young women are always dangerous; but the question of marriage or of celibacy is a question of temperament and of circumstances—so it is very properly left in England to individuals of full age to decide their lot on their own responsibility, under friendly, or if they please, professional advice. In France there is always a large number of unmarried women of a marriageable age. Thus, in the last returns, 2,231,535 women figure as spinsters, of the age of twenty to forty; the wives of that age numbering 3,200,561.

Is this the result of religious vows, or of the Catholic doctrine of celibacy?—Not to any great extent. In Great Britain the proportions are not very different. Ultimately nine in ten who live marry. The notion that the number of women shut up in convents, had any direct effect in diminishing population was incorrect. In every society large numbers will not, and large numbers should not, marry. They have wide fields of life before them, and public works, devotion, noble foundations, 'friendly love,' will enable them to achieve those triumphs which Bacon has taught us to expect at their hands.

Why is the mortality of young widows and widowers so excessive?

1. They share the pains of the unmarried and they have their own griefs. 2. The pairs, of which one dies prematurely, must in the aggregate be in more unfavourable sanitary circumstances than the rest of the population. 3. The one may take from the other fever, and, in crowded chambers, catarrh, ending in consumption, as the army returns show. 4. The widow with children, especially in France, where there is no poor law, suffers from privation; the widower from a disorderly house. The loss of a beloved wife is the heaviest affliction which a man can sustain. It unsettles many minds. Jacques Bonhomme is left desolate; his wife no longer cheers his home, nurses him in sickness, shares his cares, consoles him, counsels him, loves him. The voice which followed Jacques to the cabaret, and reminded him of the hostages which he had given to fortune, is silent. He plunges into intemperance; vice and disorder

follow; his plot of land is torn from his grasp by the mortgagee: his body finds its way to the cemetery; his soul, we may hope, soars to his companion in heaven. For Jacques Bonhomme was solely destroyed by her untimely death.

Children supply in some respects the loss of the dead; and where the surviving are childless they have the resources of their unmarried life to retreat on. But re-marriage is the popular consolation; young widows in health marry at a faster rate than maids, and widowers marry three or fourfold as fast as bachelors. The weakly and sickly are left by this second selection, and swell the apparent mortality of the class. All these disruptions of wedlock, however, leave 'rooted sorrows,' and the day is to be desired when 'Conjux Univira,' or its equivalent, may be inscribed on nearly all tombs.

It is satisfactory to find that by a wise ordinance of Heaven, the fathers and mothers of a nation—those who transmit its life from generation to generation—live long. They sustain their children and live with their grandchildren. Families are thus not detached fragments. The traditions, the works, the thoughts of the nation go on continually; and the common life flows like a mighty river. The immortality of the race on earth is secured by marriage; and mortals in giving seem to receive life from the fountain of life. If 'nuptial love maketh,' it also preserveth mankind.

At all ages after twenty-five, married men enjoy an immunity from illnesses, or their diseases are less fatal than the diseases of the unmarried men of corresponding ages. And wives of the age of forty—after they have nursed children—enjoy a degree of health which neither their selection, nor the vices nor the virtues of the unmarried can explain. Yet we seem to hear the wails of the young mothers dying every year in childbirth. Those sorrows also can be mitigated by science. Through the progress of medicine the deaths of mothers are every year decreasing, and as sanitary science is diffused, by associations like this, they will become uncommon, if none but healthy women marry, and if young persons under age, except in rare exceptional cases, will postpone their marriage at this price—that they are at liberty to prolong what the Vicar of Wakefield called the happiest hours of life.

I have now passed in review the six classes of the population of France, and have ventured to draw some deductions of general application. The French differ from us in some respects; but the English and French nations consist essentially of the same three races—Celts; Franks or Saxons; and Normans—in different proportions, and modified by position and climate. The state of manners among the married is not, we may fairly hope, represented by the common French novels. The French people have among them many vicious, and still many more virtuous characters. The mass of the small agriculturists and of the artisans is moral, yet I trust that in some respects they are excelled by the people of England. I trust that poor widows are better provided for in England than in France, and that the unmarried popu-

lation in England suffers somewhat less than in France. The husbands and the wives differ in one essential respect from their French neighbours. 6,948,828 wives in France gave birth to 898,254 children annually; 4.329,322 wives in the United Kingdom gave birth to about 809,000 children annually in the years 1849-53; and in the year 1856 the English births probably surpassed the French in numbers. They are our rivals—not our unworthy rivals—in arts, in manufactures, in arms, and in diplomacy. In the increase of population as well as of the power which it represents, and in planting colonies—future nations—France has been surpassed by England. This the country owes to the numerous children of English parents, who are added to the population, without injury to the health of the father or even of the mother. English mothers are, I believe, as healthy as French mothers; and therefore what we have proved holds in France holds also in England. But it is desirable that the question should be independently investigated in the United Kingdom.

TABLE I. FRANCE.—*Rate of Mortality per Cent. in* 1853.

Ages.	Males.			Females.		
	Unmarried.	Married.	Widowers.	Unmarried.	Married.	Widows.
All Ages.	2.093	1.756	7.249	2.024	1.534	5.804
15—	.668	2.934	18.688	.772	1.364	10.673
20—	1.128	.654	2.877	.874	.930	2.310
30—	1.236	.714	1.849	1.030	.911	1.365
40—	1.774	1.026	2.005	1.381	.999	1.366
50—	2.945	1.830	2.952	2.347	1.627	2.169
60—	4.986	3.544	5.414	4.977	3.540	4.670
70—	10.974	8.859	12.871	11.337	8.490	10.717
80—	21.072	18.363	24.799	24.143	18.044	22.850
90—	28.096	26.016	41.344	29.580	18.778	36.273
100—	76.767	98.674	48.605	45.847	70.505	42.856

The Table may be read thus:—In 1853 to every 100 *Unmarried* men living in France of the age 20-30 there were 1.128 deaths of *Unmarried* men, or 11 in 1000; to every 100 *Married* men at the same age .654 deaths of Married men, or nearly 7 in 1000; and to every 100 Widowers, 2.877 deaths of Widowers, or 29 in 1000.

A correction has been made for increase of population, on the assumption that the increase has been uniform at every age, and that the same rate of increase has taken place since 1851 as was observed between 1846 and 1851. A correction has also been made both in Population and Deaths for ages not stated.

The Tables II. and III. are condensed from M. Legoyt's Official Tables. To him I am indebted for the facts.

Ages.	Males.			Females.			Total.	
	Unmarried.	Married.	Widowers.	Unmarried.	Married.	Widows.	Males.	Females.
All Ages	9,972,232	6,986,223	836,509	9,351,795	6,948,828	1,687,583	17,794,964	17,988,206
0—	3,359,276	—	—	3,257,764	—	—	3,359,276	3,257,764
10—	3,193,271	2,859	153	3,045,597	52,185	573	3,196,283	3,098,355
20—	2,136,450	737,929	14,498	1,639,525	1,284,251	31,732	2,888,877	2,955,508
30—	694,507	1,893,356	59,132	592,010	1,916,310	119,557	2,646,995	2,627,877
40—	296,050	1,831,982	110,497	342,754	1,646,174	229,414	2,238,529	2,218,342
50—	163,024	1,432,170	182,496	243,082	1,233,019	383,115	1,777,690	1,859,216
60—	79,571	759,189	221,932	150,064	622,657	474,442	1,060,692	1,247,163
70—	33,891	282,874	187,826	62,947	170,042	339,897	504,591	572,886
80—	6,820	36,459	54,103	13,031	17,899	98,533	97,382	129,463
90—	678	1,703	4,214	1,115	983	7,663	6,595	9,761
100—	18	13	71	28	7	145	102	180
Not Stated	8,676	7,689	1,587	3,878	5,301	2,512	17,952	11,691
15—	973,866	48	1	933,168	8,393	55	973,915	941,616
18—	617,065	2,811	152	568,342	43,792	518	620,028	612,652
20—	1,299,980	151,217	2,865	1,058,979	455,636	8,240	1,454,062	1,522,855
25—	836,470	586,712	11,633	580,546	828,615	23,492	1,434,815	1,432,653
30 and upwards	1,274,559	6,237,746	820,271	1,405,031	5,607,091	1,652,766	8,332,576	8,664,888

TABLE III.—FRANCE. *Deaths in* 1853 (*vide 'Statistique de la France,' deuxième série, tome III.,* 1re *partie, pp.* 31–39.)

Ages.	Males.			Females.			Total.	
	Unmarried.	Married.	Widowers.	Unmarried.	Married.	Widows.	Males.	Females.
All Ages	211,334	124,195	61,388	191,609	107,918	99,163	396,917	398,690
0—	139,395	—	—	120,422	—	—	139,395	120,422
10—	19,175	85	29	21,596	721	62	19,289	22,379
20—	24,419	4,892	423	14,509	12,101	743	29,734	27,353
30—	8,695	13,697	1,109	6,176	17,687	1,655	23,501	25,518
40—	5,321	19,049	2,247	4,793	16,664	3,176	26,617	24,633
50—	4,864	26,558	5,463	5,777	20,321	8,423	36,885	34,521
60—	4,020	27,268	12,180	7,503	22,332	22,465	43,474	52,360
70—	3,768	25,396	24,518	7,223	14,625	36,929	53,682	58,777
80—	1,456	6,785	13,608	3,186	3,272	22,826	21,849	29,284
90—	193	449	1,767	334	187	2,818	2,409	3,339
100—	14	13	35	13	5	63	62	81
Not Stated	14	3	3	17	3	3	20	23
15—18	5,873	—	—	7,113	221	25	5,873	7,359
18—20	4,897	85	29	4,631	500	37	5,011	5,168
20—25	15,152	1,246	167	9,110	4,544	248	16,565	13,902
25—30	9,267	3,646	256	5,399	7,557	495	13,169	13,451

On Residences for the Insane. By JOHN CONOLLY, M.D.

IT seems to have been long before the assistance afforded in other forms of human infirmity was extended to persons bereft of reason. Their actions and appearance being usually repulsive or alarming, they were avoided, and suffered to wander about uncared for until this freedom became inconvenient or dangerous, and were then tied up, and beaten and starved, kept out of sight, and forgotten. Remnants of this system were to be recognised long after asylums were built for lunatics, and even to a period within the remembrance of persons now living. It is, indeed, only within the last thirty years that the exertions of the Society of Friends, which commenced at York about forty years sooner, became really successful in awakening general attention to the treatment required to restore health of body and of mind in those affected with the dreadful malady of insanity.

Much has been lately written in the public journals on the subject of proper residences for the insane, arising partly out of one exceptionable case of mismanagement recently occurring in a private asylum, but containing views and observations founded on abuses which have long ceased to characterize asylums in general. These writings have naturally caused great uneasiness in the minds of all who have relatives afflicted with insanity; and have also contained or led to suggestions, either impracticable or which would multiply the evils so justly condemned.

The mortality among the insane, and recoveries from all forms of mental disorder, appear to be so much influenced by the sanitary circumstances surrounding them, as perhaps alone to afford an excuse for offering some remarks on the subject to the Department of Public Health, and for describing some of the peculiar characteristics of insanity which must always, and necessarily, modify the arrangements made for the reception of insane patients, determine the residences proper for them, and make special as well as general resources indispensable.

It seems to have been too much forgotten that in every case of insanity the first object should be, as in other maladies, the recovery of the patient; and that this is often impossible without a removal of the patient from home. All the influences and all the associations of home become perverted, in a large majority of cases, in this unhappy malady: the alarm, and even the affection, of surrounding friends lead to hurtful concessions and indulgences, and to the withdrawal of all wholesome control; until the bodily disorder present in the first stages is increased, and the mind is more and more irritated, thus making eventual recovery more difficult, and often altogether doubtful or impossible. Great dangers arise in the meantime, and dreadful accidents are the frequent result. The mere security of the patient then becomes, unavoidably, the first consideration. But the physician

must never forget that the mental disorder which is terrifying a whole family is a disorder dangerous to the patient's life; and yet, if prompt and proper measures are resorted to, is generally, in its recent forms, curable. These measures comprehend medical treatment and moral control. The symptoms are to be mitigated, whilst the patient is to be protected. Not only the form of the attack, but the worldly circumstances of the patient, require immediate consideration.

One or two illustrations, taken from the most ordinary forms of recent mental disorder, will perhaps best show what respect must be had to both these considerations, in selecting a proper residence for an insane patient. Let us recollect then, first, the symptoms of approaching mental excitement, or acute mania.

After a few peculiarities of manner, and occasional oddity of talk, manifest mental disturbance ensues; various projects rapidly succeed each other, associated with ideas of grandeur, or power, or wealth, or accomplishments. Great restlessness supervenes, and a desire for instant travel, even to remote parts of the globe. Opposition produces paroxysms of rage. Very soon the patient menaces those about him; gesticulates, shouts, screams, rushes fiercely upon supposed enemies, or spies, or conspirators, or murderers. He thinks it is his duty to sacrifice those about him, and those dearest to him, his wife or his children. He is careless of dress, of cleanliness, and of decency. In such a state, the management essential to recovery is impracticable in his own house, or in any private family. If the patient is a poor man, he is taken, fortunately for him, and with as little delay as possible, to the county asylum, where the cords, necessarily resorted to in his own habitation as the only security against his frantic actions, are at once removed; his wretched clothes are taken off, and he has the comfort of a warm bath, and receives various kind attentions from experienced attendants, and is visited by humane officers, and has good food offered to him, and a clean bed in a room in which he can neither hurt himself nor others. The cure, with the poor man, therefore, often begins at once. His mind and body are both favourably influenced. As long as he requires watching he is carefully watched. He soon becomes calmer; and although he may not immediately recover, the general superintendence of the asylum is consistent with his taking exercise, breathing fresh air, being well fed and clothed, being employed or amused, and lying in his nightly bed with free limbs.

But when the malady appears in the same violent form in a person of the class above the poor, the plan of treatment is not so promptly resolved upon. Family councils are held, individual prejudices have to be combated, the desire to keep the nature of the patient's illness secret causes every direct mode of relief to be objected to, and, above all, the very name of a private asylum produces a shudder in the circle of distressed and weeping relatives. Their situation, if their resources are very limited, is indeed pitiable. The public asylums, with a few happy exceptions (Bethlehem Hospital, St. Luke's, the Hospital for the Insane near Northampton, and the

Coton Hill Asylum near Stafford), and the private asylums where the terms are not more than can be afforded, do not offer the advantages enjoyed in the county asylums by the more fortunate pauper. Institutions adapted to the insane of the poorer of the middle and educated classes are yet unhappily wanting.

In reality, however, the greater evils incidental to the state of insanity are generally and most heavily accumulated on the rich. In the houses of persons of distinction the desire of concealment prevails more strongly than among people of moderate rank, and possessions, and prospects; and the deceptive belief is indulged in that money alone can command every resource; so that a determined attempt is made to have the patient treated at home. As long as this vain attempt is persevered in, the whole house becomes a kind of asylum, but without the advantages of an asylum. The patient will not be controlled by the members of his own family; he defies the feeble efforts of his servants; and the services of the nearest persons possessed of muscular strength are generally resorted to, and they, on their part, resort to the coarsest means of coercion and bodily restraint. Fights ensue, blows, and bruises, and wounds. Windows are broken; bed-curtains are torn down; doors are smashed; the fire-irons become dangerous missiles; and the patient breaks out of the house, terrifying the neighbours, and incurring the risk of various injuries. After this he is overpowered, knocked down, held by the throat, knelt upon, forcibly bound with ropes, or handcuffed and leg-locked in the roughest mode suggested by ignorance and fear. Then, perhaps without consideration, the nearest asylum, no matter what its character, is applied to for the aid of attendants, two or three of whom are obtained, often so ill instructed and so unskilled as to meeting the various difficulties of a case of mania in any better manner, as to permit the patient to continue bound, no matter how, so that he is prevented from striking or kicking them. In all other respects the patient remains neglected, thirsty, unwashed, feverish, raving; and in many cases, becoming more and more exhausted and weaker every day, he dies.

Let us turn from this picture, and give a few moments consideration to the form of mental disorder most opposed to maniacal excitement, namely, melancholia. In this woful affection, some unknown condition of the nervous system for a time exists, which shuts out all pleasurable sensations, all cheerfulness, and all hope. This malady is, like other forms of insanity, common to men and to women; but is, I think, more frequent in women. No rank, and none of the ordinary advantages of life, social or mental, form a security against it. An irreproachable life, cultivation of mind, and habits of the strictest piety, do not ward off its attacks. The patient thinks herself steeped in infamy and sin; believes that she has ruined all her relations, and is to be put to a disgraceful and public death; or, more dreadful still, thinks herself abandoned by the Almighty. Thoughts of suicide almost always supervene on this state, and self-destruction can only be prevented by constant watching, and by arrangements not possible in

a private house. The act contemplated is viewed as a duty, and the thoughts are ever bent upon it; although intervals of calmness and simulation occur, which usually lead to fatal concessions on the part of friends, and to a remission of precautions, of which the patient knows how to avail herself. The staircases, the windows, the chimney, a knife left on a table, or a pair of scissors, or a piece of tape or string, a stray towel, a nail or peg in the wall, or even, sometimes, a pencil-case, or a key, or anything that can be swallowed, are converted into the means of death. When walking out, a pond, a brook, a bridge, a cart or carriage in motion, an advancing railway train, may each, if offered to the senses of the melancholic patient, become suggestive of some instantaneous mode of terminating life. None but those who have lived under the same roof with a patient of this kind can imagine the ever-during anxiety existing in a family in such unhappy circumstances. Uneasiness and dread supersede all other thoughts and feelings; all ordinary occupations are suspended, or pursued with interruptions. Every footstep alarms; every sound suspends the breath of the listeners. In these circumstances, there is no safety for the patient at home. No medical man, no clergyman, no private housekeeper, would receive such a patient for any consideration; but when the same patient is transferred to a good asylum, much of the anxiety, and much of the danger, cease at once. There is, in fact, no other resource.

In both of these contrasted examples, the question of the patient's removal becomes then unavoidable, and the advantage of removal undeniable. Numerous examples might be added, taken from various forms of mental disorder. But the important question, as to the proper place or residence for the patient, which involves very serious considerations, is that which has been peculiarly prejudiced by the recent discussions in the public papers. It has been assumed, that as abuses still exist in some private asylums, no good asylums are to be found. It has therefore been proposed, seeing how comfortable pauper patients are in county asylums, that there should be public asylums for the richer patients also. Perhaps it is really to be wished that there were such. But as there are very few public asylums, even for persons of moderate circumstances, yet above pauperism, and none at all for the rich, those who take a sincere interest in the proper treatment of the insane, still wishing to avoid private asylums, become captivated by suggestions for richer patients being treated in detached residences, where no other patient is received. The evils incurred by such arrangements are many and great; and such, indeed, as to make the position of the lunatics of wealthy families inferior to that of the lunatic pauper.

Insanity is a great leveller; but in all my professional observation I have scarcely ever met, in any class of society, with patients so deplorably situated as in these detached or isolated residences for the reception of single patients whose property gave them the unhappy privilege of being secluded in them. Such houses are usually the property of a retired attendant; some man or woman whose habits

have been formed in old-fashioned establishments, and who, too often, regards the patient as merely a source of continued income. The patients consigned to them are often without the medical and general care and superintendence which they would have in any good private asylum, and equally without the comforts of a private residence. They are also excluded from all the social advantages consistent with good private asylums, and of which the results are found to be so singularly salutary; and live in a solitude calculated to nurse every passing delusion into strength, and to leave every evil habit to run to incurable extremes. Gloomy surrounding walls, a neglected and slovenly garden, desolate patches of barren ground, ill-dressed attendants, who consider the physician's visit as a troublesome intrusion, prepare him to find a patient whose costume and general appearance are scarcely to be recognised as those of a gentleman. Everything in the interior of the house corresponds with its exterior aspect. The patient's condition, both physical and moral, is wretched. If he is harmless, he is allowed to indulge in all negligent habits as to dress, as to diet and exercise, and, indeed, as to everything that saves immediate trouble to those about him. He is permitted to take stimulants if he desires them, and his attendants avail themselves of his example, either in the house or in public-houses. The attendants themselves, even when most disposed to do what they can for the patient, become listless and apathetic, as an unavoidable consequence of the idle life they lead; and the patient has no person of cultivated mind to associate with, or to appeal to; no variety of objects or persons to attract or to exercise his attention; and often not even a book to read. If the patient is not so gentle and submissive, and the attendants are not possessed of good temper and patience, mechanical restraint is freely resorted to; instruments for such restraint being usually entrusted to their discretion. During the hours of night, especially when the patient is feverish and restless, and perhaps disposed to violence, requiring especial care and every effort to soothe and compose him, the strait-waistcoat is still too often substituted for all the attentions that would, as a matter of course, be paid to him in a well-managed asylum, public or private. All such attentions are omitted, and fall into habitual disuse; and the unprotected patient is made helpless that the attendants may sleep. I wish to avoid all exaggeration, and even any statements not absolutely necessary to the question under consideration; but I have seen, in these detached residences, practices and consequences of which the description is not required, but of which the end was the death of patients who, I believe, if placed in a good private asylum, might have lived and recovered.

Scarcely in any private asylum now existing in this country could such general neglect and such fatal abuses be found. That some remains of the old abuses yet linger in a few of them, and that with such abuses neglect is always associated, may be true; there are, of course, some private asylums established, almost undisguisedly, as mere places of profit, and in which an excessive economy accumulates many evils, difficult of detection; too scanty food; too

little attention to warmth in winter, and coolness in summer; and all the faults arising from the employment of harsh and disreputable attendants; but there is every reason to hope that the indefatigable exertions of the Commissioners in Lunacy will gradually lead to a severer scrutiny than has often been exercised as to the position and character of persons undertaking the charge of the insane; and that some proof will be required of the medical attendants in private asylums not being utterly unprepared for the important duty of relieving or curing patients disordered in mind. Certain preparatory studies and opportunities of acquiring practical knowledge should be insisted upon, for which facilities ought to be given in all our county asylums; each of which, during at least three months in a year, should be a school of clinical instruction. Medical students would avail themselves of such an advantage with avidity; and their doing so would be of great benefit to the public.

Generally speaking, the private asylums in England are now so well conducted as to present every advantage adapted to the richer patients, and to secure all the care and comfort which the poorer patient enjoys in our admirable county asylums. The arrangements made by proprietors of high character and education are suitable to patients of the higher ranks or of the wealthy classes; including quiet and privacy when needed, and salutary social adaptations when practicable. Removal to these institutions from the patient's home is usually followed by an immediate alleviation of his malady; and he becomes at once surrounded by every circumstance and means favourable to cure. Public asylums for the rich could not possibly offer more advantages, nor secure such special attention to each patient. They appear to be recommended by the publicity they would give to every patient's case; and this publicity would not be submitted to. The friends of patients of the higher and even of the middle classes would shrink from it. A very lamentable effect would ensue; that of causing many more patients to be immured in the private residences for one patient, already described; or the shutting up in garrets, or in the secluded wings of country mansions, of many patients of rank and wealth, who would be left entirely to the care of servants, never seen by commissioners, or relatives, or friends, but allowed to drop out of social life and out of remembrance. The extreme sensitiveness of great and ambitious families has too often led to the consignment of a mad or imbecile member to this hopeless solitude; the fact of their existence being soon forgotten, and forming, many years afterward, a sort of mysterious family legend in the neighbouring hamlets.

The occasional occurrence of an instance of misconduct in an asylum for private patients ought not to make the public forgetful of the marked improvement which has taken place in both public and private asylums during the last twenty years. Almost everything in their arrangements may be said to have changed; and the animadversions lately made on the treatment of the insane, and the illustrations resorted to for the sake of heightening their impression, have, in

reality, been based on negligences and cruelties exposed and banished many years since. Neither gross ill-treatment of insane persons, nor the detention of patients after recovery, can now be considered within the limits of possibility. The few patients met with in asylums who appear to be well enough to return into the world, are either such as would be overwhelmed in mind by the change, or who entreat the proprietor of the asylum to remain in a home where they have no wants, or cares, or responsibilities. For a great majority of the patients the painful trials of ordinary social life are indeed happily exchanged for residences where their comfort and health are systematically attended to, and where they are subjected to no disappointments, to no unkind words or actions, and to no dangers, a charitable construction being put upon all that they do and all that they say, in all the varying moods of their malady.

Statistical details are scarcely required to show that the health of any class of persons must be ameliorated by the careful exclusion from their residences of all known and avoidable causes of disease. With the exception of the county asylums near London, of which the prodigious size will be found to create new sources of sickness, all public and private institutions for the insane are now so regulated, that all the known and ordinary causes of the large mortality once prevailing in such places are most diligently guarded against, and whatever is known to be favourable to health is as studiously considered and supplied.

Acute cases of mania, even in young persons, have a tendency to be speedily fatal; and almost every form of insanity, whatever excitement and violence may be exhibited, is associated with debility and the same tendency to fatal exhaustion. Many facts are on record which show that in the old institutions these tendencies were not opposed by proper medical treatment or by sanitary attentions. Exposure of the patients to cold, to damp, to dirt and darkness, and to semi-starvation, was almost the rule in all asylums. Large bloodlettings, severe blisterings, lowering medicines, the privation of fresh air and of exercise, prolonged confinement in narrow wooden cribs, or enchainment to pillars and walls, in basement rooms or apartments where proper ventilation was unknown, all contributed to produce an excessive mortality. Even so lately as twenty years ago, the deaths in some asylums were as many as fifteen or seventeen per cent.; whereas, since that time it has been reduced at least more than half. Some of the direct causes of death have entirely disappeared. Mortifications of the extremities were, under the old system, among the ordinary causes of death: they are now almost unknown in asylums. Ulcerations of the back, often occasioned by lying on wet straw, are rendered less frequent, and far less commonly fatal, by the adoption of beds and comfortable bed-clothing adapted to each case. Scorbutus was common; now, it is very rarely seen. Good food, both animal and vegetable, and the warming and ventilation of the galleries and bedrooms, have driven away these afflictions. The peculiar form of paralysis called *General* Paralysis, first accurately

described by M. Calmeil, the celebrated physician of the Charenton Asylum, was once considered to be generally fatal within two years from the appearance of its first symptoms: now, life and a considerable share of comfort are preserved in this malady for six or seven years. Suicidal deaths are also diminished in number. Cases of refusal of food, and of enforced alimentation, which the old registers and case-books show to have ended fatally in nearly every instance, are greatly diminished in frequency. The tendency to tubercular consumption, of which mental excitement is still a frequent precursor, appears to have become less common. Instances of death from mere exhaustion are fewer in number. The disuse of bloodletting has saved many lives: and I think it may be said, with perfect truth, that the patients seen in the galleries of asylums, or certainly those met with in the workshops, in the gardens and grounds, in the bakehouses, laundries, and kitchens of our County Asylums, where several of them are now always cheerfully employed, scarcely present more examples of debility and ill-health than are always to be found among artisans, and labourers, and servants, out of asylums.

In every well-regulated asylum the whole system is, indeed, strictly hygienic, in the largest sense of the term; comprehending an attention to all that can directly or indirectly promote the health of the body and the mind. The patients enjoy perfect liberty of their limbs. Chains and all mechanical instruments of coercion are unknown; buildings for the reception of many hundreds of insane patients being opened without one instrument of restraint being provided. In the best private asylums all such terrible appliances have been absolutely discontinued. Fresh air, clean clothing adapted to the season, good food liberally supplied, comfortable beds, warmth, ventilation, scrupulous cleanliness throughout the house, varied occupations and amusements, social entertainments, religious services judiciously and regularly performed, and spiritual consolation timely and prudently imparted—all utterly inconsistent with the old methods of treatment,—are now the things which peculiarly characterize asylums for the insane. The poorest lunatic is introduced to comforts unknown to him before, and which diffuse calming influences over his whole frame of body and soul; and the richer patient enjoys advantages in asylums which no wealth can command out of them.

Quarantine as it is, and as it ought to be. By Gavin Milroy, M.D., *Fellow of the Royal College of Physicians.*

QUARANTINE is the enforced detention and isolation of ships and of everything on board them, persons as well as cargo, on arrival in a harbour, in consequence of the apprehended importation thereby of a disease deemed liable to spread and to become pestilential.

There is also a Quarantine by land, which consists in trying to isolate a place where the disease already exists, by encircling it with a cordon of troops, to bar all intercourse between the infected locality and the adjacent districts, in the hope of preventing the extension of the mischief, and extinguishing it on the spot where it exists.

The duration of Quarantine is made to vary according to the believed presence or absence of the apprehended disease in the port from which the vessel sailed, or at which she last touched, the health of the crew and passengers during the voyage and on her arrival, the description of her cargo, and the circumstance of there having been any communication or not with other ships, persons, or things on the high seas or elsewhere.

If the port of departure be entirely free from the disease, the vessel receives a clean bill of health (*patente nette*); if otherwise, a foul bill (*patente brute*), the effect of which is, that a more or less lengthened Quarantine will be imposed on her in the port of arrival, although all on board may have remained in perfect health during a voyage of many days, or even weeks, and although there be no trace whatever of any sickness when she arrives. There is, moreover, what is called a 'suspected' bill of health (*patente touchée*), given to vessels coming from places which, although quite healthy themselves, continue to hold communication with countries where the apprehended disease may exist, without adopting the customary and traditional stringent measures against these countries. The quarantine required for suspected bills of health is intermediate in duration and strictness between what is imposed in the other two cases; for it is to be kept in mind, that even a clean bill of health does not always ensure immediate 'pratique,' or free communication with the shore upon the ship's arrival.

Some articles of merchandise are considered to be susceptible, *i.e.*, capable of attracting and becoming impregnated with the morbific miasm floating in the atmosphere of an infected locality, and of conveying this poisonous matter from place to place. Other goods are supposed to possess this property only feebly and imperfectly; while a few are said not to have it at all, and to be *unsusceptible*. These distinctions are for the most part purely imaginary.

The visit of a Quarantine officer to a ship on arrival is rather for the purpose of obtaining answers to certain prescribed questions respecting the voyage, &c., than of ascertaining the actual condition of the vessel itself and of the persons and things on board, as far as sickness, or liability to cause sickness, is concerned. He merely goes alongside in a boat, puts certain queries to the captain, writes down the answers on a sheet of paper, and passes this to the captain for signature. The signed paper and the ship's bill of health, having (in the event of any suspicion) been first sprinkled with vinegar, or duly fumigated, are received back into a basket, or with a pair of metal tongs, by the health-officer, who returns on shore either to make out a warrant of release or to prescribe the necessary Quarantine.

Should any one be sick when the ship arrives, and there be no

medical man on board, the Quarantine officer prescribes as he best may, without seeing the patient. If he went on board, he must remain there, and could not return on shore. The case is the same even when the sick or suspected are removed to a lazaret. The health officer can attend upon them only under certain appointed precautions; otherwise, he could not leave the lazaret himself without incurring the risk of conveying the pestiferous poison abroad.

The theory and the whole machinery of Quarantine rest on the belief, not only that certain diseases are communicable from the sick to the healthy under all circumstances and conditions, and are capable of spreading in this manner with epidemic force in a new and distant locality; but also that the miasms of these diseases, floating in the atmosphere of infected places, are liable to cling to the surface of persons and inanimate objects, and may thus be conveyed in shipping to great distances, and after long intervals of time, retaining all the while the power of infecting the atmosphere in the port of arrival.

It is also presumed that the morbific germs may be incubant or lying dormant in the systems of persons who, although perfectly well on arrival, may sicken afterwards, and then become the radiating centres of a wide-spreading infection.

That certain zymotic diseases are more or less actively infectious—*i.e.*, communicable from the sick to the well through the medium of the atmosphere—is not to be gainsaid.

In one group of these diseases, as in small-pox, scarlatina and measles, the infectious property seems to be *inherent* and *essential*. It may, indeed, at times be feeble and unenergetic; still, it is always present, and may, from some unforeseen cause, suddenly acquire great potency.

Moreover, no ordinary sanitary precautions that we know of can prevent either the development, the extension, or the recurrence of the exanthematous or eruptive fevers, however much these precautions will very generally serve to abate their severity and fatality. Occasionally, though rarely, small-pox and scarlatina are as fatally malignant in the clean and airy abodes of the rich as in the dwellings of the poor. The temperament and constitution of the persons attacked have much to do with the severity of the seizure.

There is another group of zymotic diseases in which the infectious property is not inherent and essential, as in the former, but is only *conditional* and *contingent*, *i.e.*, depending upon, and requiring for its manifestation, the coexistence of an artificially polluted atmosphere. Typhus fever is an example of this class. No disease has a more terrible power of self-propagation and increase when the sick are crowded together in impure, ill-ventilated chambers. In clean and spacious apartments, however, where the atmosphere is being continually renewed by the due admission of fresh air and the simultaneous escape of the vitiated air, all risk of the extension of the infection ceases. The means of arresting the evil are thus in our own power, and are, moreover, always at hand.

In this respect, therefore, there is a marked difference between the

infection of typhus, and that of such diseases as small-pox and scarlatina. Unlike, too, to the true exanthematous or eruptive fevers, typhus seldom or never springs up *de novo* without the concurrence of local noxious agencies which it is easy to prevent and remove, and the very existence of which is proof positive of neglected sanitary regulations.

Now, what is true of typhus is equally applicable to the oriental *plague*, as respects its mode of development and extension. The experience of the last five-and-twenty years has established this as a fact beyond any reasonable doubt. The plague is apt to spring up in the filthy towns and villages of Turkey and Egypt, under the very same conditions as typhus does in our foul lanes and alleys; and when it spreads, its spreading is due to the like influences of artificial local contamination. It was therefore no vain or unmeaning boast of the late Mehemet Ali, when, alluding to the many works of improvement he had carried out and intended to carry out in Egypt, he said, 'We must get rid of the plague.' He knew that it might be done.

In all prophylactic and preventive measures, therefore, directed against the plague, we have but to consider what experience has shown to be necessary against typhus; neither more nor less being required. The Quarantine restrictions and regulations against the former disease should be exactly those which it is found right and necessary to be adopted against the latter disease.

But what have recent occurrences in the Mediterranean shown to be the practice still pursued by almost all the European States in reference to this matter?

In the early part of the present year, a bad form of fever broke out in a filthy Arab village near the town of Bengazi, on the Barbary coast, and continued to spread slowly for weeks and months without exciting much alarm in the district. During all this time, it was not regarded or called the plague. This has always been the case with epidemics of this pestilence. No one pretends to be able to distinguish the disease at first from other bad forms of fever. And so it was at Bengazi. It was only when buboes and carbuncles were superadded to the other symptoms, that the fever was recognised and designated as the plague; and then only did quarantine measures begin to be enforced in the Mediterranean ports against the infected place. Before that, no special precautions had been taken or deemed necessary against arrivals from the Barbary coast. But no sooner was the dreaded name of plague affixed to the disease, (which, as we have seen, had been existing for months before its real nature was discovered,) than the entire machinery of quarantine, with all its strange and most extravagant complications, was set in motion by most of the European States to prevent the importation of the pestilence among their subjects.

One or two examples will suffice to show the nature of some of the precautions.

A quarantine of twenty-one days' duration was imposed in the ports of Naples, Greece, Portugal, &c., upon all vessels coming from or

which had touched at Gibraltar; not that any disease existed there or that the health of the Rock was bad at the time, but merely because it continued to hold communication with Morocco, which was also at the time in a healthy state and quite free from any pestilential malady. Our Government as well as that of France held out for some time against such preposterous proceedings, and counselled a rational moderation in the enforcement of precautionary measures; but the attempt only brought down upon our intercourse and commerce retaliatory prohibitions of the utmost stringency, and our Mediterranean ports were compelled to yield.

One of the Peninsular and Oriental steamers on her voyage out from this country to Alexandria had to land some passengers at Gibraltar. Before leaving the harbour there, it was necessary to have a bill of health of the place. The document was duly sent on board, enclosed in a tarred box carefully fastened down. The captain of the steamer, not aware of the risk he and his ship incurred, inadvertently opened the box to look at the paper. On arrival at Malta, it was declared by the authorities there that, in consequence of this act, the steamer must be regarded as having had communication with a suspected port, and must undergo a quarantine of ten days. The passengers who landed were detained in the lazaret for that period, before they received pratique!

At Alexandria, a curious event occurred. A vessel with 250 pilgrims crowded on board arrived in that port from Tunis. During the voyage, one of the pilgrims—who, it is scarcely necessary to say, are always abominably filthy in their persons and habits—sickened of fever and died. After some controversy as to the true nature of the case among the health officers of Alexandria, it was decided that it should be regarded as one of plague, and the most stringent precautionary measures were accordingly enforced against the ship and all on board, to prevent the spreading of the disease to the town. The pilgrims were crowded together into the lazaret, and kept under strict guard. While thus confined, another man fell sick of fever and died. Again was there difference of opinion among the medical attendants as to whether it was a case of genuine plague, or not; but the majority decided in the affirmative. One of these gentlemen, in examining the case, had touched the patient's body, and had returned home without having undergone the prescribed purification. When this came to be known to the foreign consuls, they at once communicated the intelligence to their governments, and the result was that Alexandria was forthwith declared to be infected or suspected of having the plague, and treated accordingly.

Comment upon such proceedings as the above is unnecessary; they outrage common sense, and disgrace the medical profession at whose door lies all the folly of quarantine as it is.

The subsidence and all but cessation of the plague during the last twenty years in the Turkish dominions has been attributed by many to the institution of quarantine, or rather a system of sanitary police, by the Porte in 1838-39. And doubtless the measures which have

been carried out in Turkey, Syria, and Egypt since that period, must have been productive of no small amount of good in arresting and extinguishing the disease, and preventing its unchecked propagation. Wherever a real or suspected case of the disease occurred, the infected house was immediately emptied of all its inmates, and underwent a thorough cleansing and purification. Infected or suspected shipping was likewise subjected to quarantine detention, and not permitted, as had previously been the case, to enter harbours at once and communicate immediately with the shore without let or hindrance.

After the great fire of London in 1666, which swept away so much of the worst-conditioned parts of the city, and resulted in a general improvement in the dwellings, streets, &c., the plague, which was then seldom absent in its sporadic form, and had three or four times raged with epidemic violence since the beginning of the century, became greatly less frequent, and ere long ceased to be ever met with in the metropolis; and this, too, before any system of quarantine had been established in our country.

I shall now briefly notice another pestilence against which quarantine is in the present day specially directed—viz., *yellow fever.*

The experience of the last nine or ten years has afforded an unusually wide field for the observation of this disease, and it has been studied with much greater exactitude than before. Its appearance for the first time (as far as accurate records go) as a great epidemic in the Brazils in 1849-50, and its gradual extension northwards and southwards to the latitude of New York on the one hand and that of Buenos Ayres on the other, and from east to west right across the South American Continent, as well as its persistence from that date down to the present time in some part or other of this wide extent, are events full of instruction and warning.

Now, no one fact has been more indisputably made out than that yellow fever never manifests any tendency to spread from the sick to the well in pure and airy chambers, more especially when the patient has been removed from the place where he caught the disease. The medical and other attendants run no risk whatever under such circumstances.

To deny the communicability of yellow fever absolutely and unqualifiedly is unwise, because it is against evidence. In the ill-ventilated between-decks of a ship, and in like conditioned abodes on shore, it has unquestionably spread by infection. The potency or activity of the infectiousness of yellow fever is, however, never so great as that of the plague or of typhus; it is more easily dissipated and annulled.

As in the case of the plague, mild cases of yellow fever are not distinguishable from the ordinary endemic fevers of the country, which are not regarded as at all infectious, and against which there is no quarantine. Such cases usually usher in an epidemic. It is only when its malignancy is fairly established that quarantine comes into force. The gates of the citadel are closed after the foe has got in

Certain it is that quarantine as hitherto practised has signally

failed in keeping out yellow fever from countries exposed to its invasion. Instances upon instances might be quoted: I shall mention but one, the most recent and one of the most striking of all; viz., that of Lisbon last year. Notwithstanding the unceasing maintenance of a most vigilant and stringent quarantine at every point of her coast, and against every part of the world which was or could be suspected—to the immense inconvenience of all intercourse and serious detriment to commerce—the enemy found its way into that notoriously foul and unwholesome city, and caused such a panic by its destructive ravages, that for a time all business was suspended, the law courts were closed, and the legislature refused to hold its sittings.

Portugal was the only country in Europe visited by the pestilence, although others, our own among the number, had much ampler and more frequent intercourse with Brazil, from which the Lisbon Board of Health contended that the disease had been imported.

The mild precautionary measures adopted of late years at Southampton, towards vessels arriving there with cases of yellow fever recently or actually on board, have been found quite sufficient in protecting the public health.

Epidémic Cholera is another disease for which quarantine continues to be imposed in many countries.

It was expected by the medical profession and the educated public in this country, as well as in France and the United States, that after the experience of the two visitations in 1831-2 and in 1848-9, the universally ascertained inefficacy of ordinary quarantine to keep out the pestilence—for not a country or land escaped—would have been everywhere acknowledged and acted upon in the future. Not so, however; for on no former occasion was the system more rigorously followed out than it was in the last visitation in 1853-4 by Spain, Portugal, Naples, Greece, and Sweden.

For example, on the earliest intimation of cholera having appeared in this country, Spain immediately required that Gibraltar should at once impose a strict quarantine upon all arrivals from our shores, whether the ships were healthy or not. The governor of the garrison hesitated to accede to the demand; and straightway an embargo was placed by the Spanish authorities on all direct communication between their country and the Rock, to the great inconvenience and distress of the inhabitants of both, more especially of the latter, which derived its chief supplies of food from the surrounding district. Smuggling, of course, went on, however, actively all the while. After lengthened remonstrances and counter-remonstrances, Gibraltar was compelled by force of circumstances to yield. Ere long, the exigencies of war broke through all quarantine restraints both there and in other ports in the Mediterranean; and during the greater part of 1854, when the cholera was at its height both in our own country and in France, an unobstructed intercourse was continually going on with Gibraltar and Malta, and between those places and every part of the Mediterranean, the Bosphorus, and the Black Sea. Now, it is a very notable

fact that during the whole of the Russian war, cholera never spread either at Gibraltar or Malta, nor yet at Balaklava or at Kamiesch, although vessels were continually arriving and landing the sick at all those places, and the only precautions that were adopted were the prompt removal from shipboard of every person that could be sent on shore, and the locating them in the most healthy situations. No experiment could be more conclusive or ought to be more instructive.

While such was the course pursued, and such were the results, in English and French ports, the most rigorous quarantine continued to be exercised by other countries. The steamer, in which I was a passenger in the summer of 1855 from Marseilles to Constantinople, took on board at Malta a French soldier who, while affected with diarrhœa, had most imprudently bathed in the sea just before coming off to the vessel. The symptoms rapidly became worse, and he died collapsed next morning. The body was immediately committed to the deep. On reaching the Greek island of Syra, the steamer was declared to be infected, although there was not the slightest trace of sickness among any on board, and kept during her stay in strict quarantine, and the passengers, who had to be landed, were sent off for ten days to a lone island seven or eight miles distant!

Notwithstanding the utmost vigilance of the Spanish and Portuguese authorities at the same time, the pestilence found its way into both of these countries, and spread from town to town and from district to district, committing terrible ravages everywhere, and especially in seaport towns, which are always the most unwholesome and worst conditioned. No city has fared worse than Lisbon has done. In 1856, the cholera, and in 1857-8 the yellow fever, swept away thousands of her people. Nowhere is quarantine more vigilant and more strict.

I have thus briefly noticed the three diseases—plague, yellow fever, and cholera, against which quarantine is at present chiefly directed. Admitting that infection, or communicability from the sick to the well, is an element or factor in the propagation of each and all of them —although in the case of cholera the property is comparatively very feeble—I have sought to show that it requires for its active manifestation the co-existence and co-operation of a polluted atmosphere, and that all that is needed for its effectual dissipation is the correction or removal of this artificial adjunct. The ready means of extinguishing the mischief are thus always in our own hands. Let not, therefore, in considering the subject of quarantine, the mere abstract technical question, 'Does this or that disease ever manifest an infectious property?' be uppermost in the mind and guide our decision; but rather such practical questions as these,—'What part does infection play in their general dissemination?'—'Is the part a principal or merely a subordinate one?' and 'Is the infection constant and inherent, or is it only conditional and, therefore, avoidable?' This simple rule will save the inquirer from many errors, and lead him into the right way. 'Quarantine as it ought to be,' should, in my opinion, be as follows:—

1. The enforced detention and isolation of shipping are necessary

only when disease actually exists on board, and when the vessel is in a foul, infected condition upon arrival.

The health-officer should go at once on board, and personally inspect the state both of the ship and of all on board, before determining the restrictions to be imposed.

An accurate registry of every inspection should be kept.

2. The sick, and all persons in whom the early or precursory symptoms of sickness are present, should be removed as promptly as possible, from the ship to clean and airy rooms on shore, or to a floating hospital moored in a healthy situation. The detention of such persons in an infected ship is obviously objectionable.

3. There being no reliable evidence that any pestilence was ever introduced into a community by persons who had been quite healthy during a voyage, and were so upon arrival, it is unnecessary to detain such persons in a lazaret upon the mere speculative apprehension that the disease may be dormant in their systems.

Emigrants and pilgrims, being often extremely filthy in their persons and clothing, should be subjected to special examination and purification before they are permitted to go free upon landing. A supervision of the dwellings to which such passengers usually resort should also be maintained.

4. The experience of all lazarets having shown that the fears of a pestilential disease being introduced by the ordinary cargoes of dry and imperishable goods are groundless, the tedious and expensive restrictions often imposed upon such cargoes may be discontinued without any risk.

Such articles as foul rags, putrid hides, rotten meat and vegetables, guano, &c., should be landed under special regulations, and apart from ordinary wharves and from dwellings.

Foul bed and body linen and other baggage of the sort should not be landed when there has been sickness on board, or where any epidemic exists on shore, without previous thorough cleansing and disinfection.

5. Vessels in a filthy, unwholesome state from foul bilges or otherwise should not be allowed, whether there has been sickness on board or not, at once to enter a crowded port, or to lie alongside a wharf or other ships; nor should they be permitted to land their cargoes until they have been duly cleansed out and ventilated.

A foul ship is much more to be dreaded as a vehicle of introducing disease than anything she has on board; and no small risk is often incurred by pilots, custom-house officers, and other persons who go and remain on board. The atmosphere in the hold and the between-decks of such a vessel will often poison a stranger fresh from the shore, when the crew have escaped.

If disease has been on board during the voyage or on arrival, the ship should be limewashed and fumigated, as well as cleaned out and aired, before free entrance is granted.

6. One of the most important duties of a quarantine health-

officer should be to maintain a vigilant supervision over the sanitary state of ships in port and on arrival.

If bills of health were made to certify the condition of a ship, and of her accommodation for the crew and passengers, as well as the mere existence or non-existence of disease in the port of departure, a far more effectual protection against the introduction of disease into the port of arrival would be afforded than now exists.

A *clean bill of health* would then have a significant meaning, and the services of the health-officer would be of great value to the community.

The machinery of quarantine might thus be made instrumental in the general sanitary improvement of mercantile shipping, a subject which calls for much more public attention in every country than it has yet received. There is a large amount of impaired and damaged health, as well as of actual disabling sickness and of death, among the crews of our merchantmen, arising from causes on board which might be easily prevented.

7. As to the quarantine measure on land of encircling an infected spot with a cordon of troops or police in the hope of preventing the extension of any pestilence, humanity as well as experience denounce it as utterly unjustifiable. It is alike barbarous and homicidal.

Such is the system of quarantine which I should propose. If asked what hope is there of so simple a system being ever adopted generally and in foreign countries as well as in our own country and colonies, I must admit that the attempts hitherto made to reform the existing quarantine have been anything but encouraging. Missions and commissions, and international conferences have been tried and failed, and diplomatic remonstrances have not been more successful.

No one nation can well act in the matter quite independently and without the concurrence of other countries. England and France and the United States would willingly adopt a more rational procedure, but they are checked (as recently in the plague on the Barbary coast) by other governments refusing to go along with them, and threatening their intercourse with oppressive restrictions.

One way only is left, and probably it is the best, after all—viz., to enlighten general opinion everywhere, by keeping before the public eye the fallacies and evils of the existing system, and at the same time the simple and effectual means of reform.

A good mode of doing this would be by the annual publication of a digested report of all proceedings touching quarantine, not only in our own ports at home, but also in our different colonies, as well as in all foreign countries, in as far as they have affected in the course of the year our commerce and intercourse. A large amount of information on the subject is continually being sent to the Foreign and Colonial Offices, and also to the Board of Trade and Privy Council. Hitherto, this information has been only occasionally and at uncertain and often distant intervals made public, and then generally in a bulky blue-book. Let but an annual digest of each year's proceedings be prepared in the Privy Council Office, and, as with the

reports of other governmental departments, be regularly laid before Parliament; and ere long public attention will be drawn to the subject, first in our own country, next in our colonies, in many of which the utmost ignorance and error prevail, and eventually even in those continental nations which have hitherto resisted every attempt at change, and cleave to a system which, in most of its details, outrages common sense, and is a scandal to medical science.

The appointment of a Special Committee by the Association to examine into the whole subject of quarantine, and to report the results of their inquiries at the next annual meeting, might, I think, be also productive of much good to the cause of enlightenment and truth.

The 'Ladies National Association for the Diffusion of Sanitary Knowledge.' By Mary Anne Baines.

The above Society, working quietly and unostentatiously, has in view some of the most important objects of the National Association—namely, the diffusion of sanitary knowledge, and the promotion of physical education, especially among the working classes.

Although the primary and more direct object of the "Ladies' Association" is to improve the physical condition of the poor, another benefit is likely to result, not less important in its character—an improvement in the moral and social condition of the working classes, brought about through the natural relation that exists between the physical state and the moral condition, so that a correction of the ills attached to the one bespeaks a reformation of the evils attending the other; but much more is hoped in this case from the sympathy and interest of educated women being thus elicited towards their poorer neighbours.

The originators of this Association, believing that in a majority of cases the principal cause of a low physical condition is ignorance of the laws of health, have therefore combined to propagate this important branch of knowledge.

They propose to effect their object:—

1st. By establishing institutions in which schoolmistresses and pupil-teachers, belonging to any schools for the working classes, can attend, gratuitously, a course of theoretical and practical instruction in all subjects relating to the preservation of health, in order that they may impart this branch of knowledge to their pupils. By these means, school-girls, the future wives and mothers of the working classes, will obtain information which, though necessary to *all*, is at present possessed by very few. Classes will also be formed for private governesses and other ladies. Special attention will be paid to instruction in the management of infants and children, as being one of the most important duties of woman, and one which the great mortality among infants proves that she performs very imperfectly. In order to make this part of the instruction thoroughly practical, some orphan infants will be reared

in the institutions. Schoolmistresses will thus have an opportunity of gaining a thoroughly practical knowledge of all matters relating to infantile health; and, through them, this knowledge will be imparted to the working classes, who have at present little opportunity for gaining it, except from dearly-bought experience, or from books, which, in many cases, they have neither inclination nor means to purchase, nor intelligence to comprehend. Nursery-maids will be admitted to this part of the instruction; and the Association hopes thus to supply that great desideratum, a class of intelligently-trained nursery-maids, to whom infants may be safely entrusted. Clergymen, medical gentlemen, and all who are interested in sanitary reform, are earnestly solicited to use their influence to establish such institutions in connexion with branch associations in their various localities.

2nd. By compiling and publishing interesting, simple, and practically written tracts, on all subjects relating to the preservation of health. Ladies will thus be enabled, during their visitation of the poor, to bring the influence of tract literature to bear upon the physical condition of those visited, as well as upon their spiritual condition, which, pre-eminently important though it is, certainly ought not to be, as it generally is, the only subject of tracts distributted among the poor.

3rd. By establishing loan-libraries of popularly written interesting books upon all subjects relating to the preservation of health.

4th. By arranging for the delivery of popular lectures on the preservation of health.

SUMMARY OF PROCEEDINGS IN THE PUBLIC HEALTH DEPARTMENT.

THE Right Hon. the Earl of Shaftesbury presided over this department throughout its sittings, Mr. P. H. Holland being secretary, with Dr. Vose and Mr. A. Higginson as his local coadjutors. On the Friday it was found necessary to divide the department into two sections, over the second of which Mr. Edwin Chadwick presided, Mr. Buxton of Liverpool acting as secretary. The following contributions were received by the department in addition to the papers printed in this volume:—

'Sanitary Legislation, with Illustrations from Experience in Liverpool,' by W. T. M'Gowan.

'Sanitary Reform and the Local Government Act of 1858,' by Joseph Jones.

'Duties of Officers of Health,' by Lionel Beale.

'The Common Lodging-house Act,' by Henry Austin.

'Statistics of Disease among the Lower Animals,' by Professor Gamgee.

'Remarks on the Sale of Adulterated Milk and Decayed Fruit,' by Susan Powers.

'On the further Amendment of the Law of Lunacy,' by George Robinson, M.D.

'A Few Remarks on Quarantine,' by Dr. Davy, F.R.S.

'On the Causes of the recent Increase of Leprosy in Norway,' by Dr. Charlton.

'On Utilizing the Statistics of Disease among the Poor,' by Dr. Milroy.

'Inquiry into the Causes of Deaf-Dumbness,' by D. Buxton.

'The true Theory of Sanitary Improvement.—The Cleansing of the Thames,' by the Rev. J. Begg, D.D.

'London Docks and River Thames,' by S. R. Pittard.

'Past and Present Sanitary Condition of Liverpool,' by James Newlands.

'Drainage of Croydon and its Results,' by Dr. Carpenter.

'Sanitary Progress at Cardiff,' by H. J. Payne.

'Reports from St. Mary Ottery, Southampton, Tottenham, Lancaster and Ely.'

'Improved Health in Small Villages,' by Dr. Moffatt.

'Continued Fevers considered as Preventive Diseases,' by Dr. Murchison.

'Liverpool Nurses' Training Institution,' by Rev. J. S. Howson.

The proceedings commenced with the reading of the paper by the Rev. Charles Kingsley, printed in full at page 428. In the discussion which ensued, Mr. Rawlinson expressed himself with regard to cottage improvement, quite satisfied that Government interference to the extent indicated in the paper would never be tolerated in this country. But he saw hope of improvement by other means; let but half a dozen enlightened people improve their property, and the advantage to themselves would be so apparent that their example would speedily be followed. Alderman Dover was against any interference with local authority. He believed that the great thing was to show the people that it was their pecuniary interest, their interest in every possible way, to adopt every possible sanitary improvement. The President was also of opinion that reform would arise from diffusion of sanitary knowledge amongst the people, rather than from interference by law.

Mr. W. T. M'Gowan read a paper on 'Sanitary Legislation, with Illustrations from Experience in Liverpool,' which has been published separately for more convenient distribution in the locality, and which will also be circulated among the members of the Association. A paper illustrating the 'Practical Advantages resulting from Sanitary Improvements in the Town of Cardiff,' by H. J. Paine, Medical Officer of Health to the local board, together with several valuable Reports of a like nature, has been referred to the Public Health Committee in order that they may be incorporated by that committee in a Report to be presented to the next annual meeting.

Mr. Joseph Jones read a paper entitled, 'Observations on Sanitary Reform and the Local Government Act of 1858,' in which he spoke highly of the working of the Public Health Act, with its central Board of Health, now abolished, as he considered unfortunately, in deference to the prej udices which had prevailed on the subject. He gave an account

of the provisions of the new Act, and hoped that the cause of sanitary reform would not suffer from the partial withdrawal of the central power. A discussion took place on the subject, in the course of which Mr. Whitehead, of Ely, said he was sure if they were to wait till the Local Government Act was adopted by the majority of the ratepayers, many of whom were owners of cottage property, they would never have it adopted at all. Mr. Rawlinson and others gave their testimony in favour of the Public Health Act of 1848. The President stated that he was a member of the deceased Board of Health, and it was gratifying to hear that board now receiving its due. The discussion was concluded by Dr. Lewis stating that he looked with little confidence upon any extended application of the new Act of Parliament, which was passed to supersede the late more efficient statute.

Mr. Henry Austin, in his paper 'On the Common Lodging-Houses Act,' remarked on the popularity of the measure, and the improvement which had taken place under its operations in those houses, formerly hot-beds of disease, misery, and crime. He urged the necessity for extending its provisions in order to meet the case of that lowest class of lodgers who, having been driven out of the old lodging-houses, contrive, in concert with the keepers of unregistered rooms, to evade the law, and crowd together, sometimes under worse conditions than before. At the same time he inquired what had been done to furnish healthy accommodation, according to their means, for those who had been compulsorily driven from the common lodging-houses by the operation of the Act. He questioned the justice of driving out masses of the population to prevent the evils of overcrowding, without providing any new accommodation for them. It was manifest, if no such accommodation existed, the evil was not removed, but only shifted to some other, perhaps worse resort. The Labouring Classes Lodging-Houses Act, passed in the same year (1851), might have remedied the evil; but its provisions had not been carried out. The only place in which anything had been done by the responsible authorities was Huddersfield, where a model lodging-house had been established by the Commissioners of Improvement.*

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* The model lodging-house of Huddersfield, established by the Improvement Commissioners of that town, was opened in November, 1854. It was originally a warehouse. It was fitted up to afford accommodation for 221 men, 34 women, and 12 married couples. The total cost of the building, including the purchase of the freehold, the fitting up and furnishing, was a little over 5000*l.*, or about 28*l.* per head. The money was borrowed on mortgage of the rates, as provided by the Act, one thirtieth part of the principal being repaid annually. The numbers accommodated in the building increased from 16,749 in 1855, to 28,788 in 1857. The average charge upon the rates for this establishment has hitherto been about 400*l.* per annum; but this includes the annual instalment for repayment of the original outlay, which will leave the Commissioners at the end of thirty years with the unencumbered freehold building, with its fittings and furniture.

Mr. Clough, the clerk to the Commissioners, says—'It was found utterly impossible to bring the common lodging-houses in Huddersfield under proper control until after the erection of the model lodging-house. To have compulsorily closed the wretched places then used as common lodging-houses would but have been to

The Lodging-Houses Acts had now had full trial, and the whole experience of their working appeared to demonstrate that the powers granted by the Legislature were ample; that the general application of these powers would realize an amount of benefit beyond anything that could have been anticipated; but that the machinery for the purpose was utterly insufficient. Mr. Austin concluded by recommending that the Poor Law Guardians should be entrusted with the local administration of the Act. In the discussion which ensued, the speakers were all of opinion that the Lodging-Houses Act had done an incalculable amount of good. The President stated that in London between 60,000, and 70,000 persons slept under its regulations every night.

The Secretary read a paper by Miss Susan Powers, 'On the Sale of Adulterated Milk and Decayed Fruits.' Miss Powers proposed the adoption of the system by which the adulteration of milk is checked in France, where upon conviction the offender is sentenced to a term of imprisonment, and to the payment of a fine proportioned to the extent of the adulteration. In each case fifty copies of the judgment of the court are printed and affixed for three consecutive Sundays on the door of the offender's house, and in public places in the town where he resides. The judgment is also advertised in four newspapers at his expense. This concluded the proceedings of the day.

The business on Thursday opened with the reading of Miss Nightingale's second paper, which was a continuation of one read on the preceding day. Both papers will be found at page 462.

Mr. R. Rawlinson, C.E., explained the plans which had been sent down to illustrate the papers. In the course of his remarks he stated that he knew that the meat sent out to the navy was absolutely that of beasts which had died of disease. He could speak from experience in regard to the Crimean army, that the cattle were bought up at random from Asia Minor; they were shipped on board transports, and were sometimes six days at sea without proper food or water; they

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turn the houseless poor into the street without shelter. This induced the Commissioners to procure the model lodging-house, and through it the whole class of registered common lodging-houses has been raised to a much higher standard than they were before.'

'Before the Huddersfield Improvement Act was passed (in the year 1848), there was paid for the relief and removal of paupers in cases of sickness, which had arisen in these dirty, over-crowded, ill-ventilated, common lodging-houses, during the year ending December 25th, 1847, the sum of 466*l.* 10*s.* 1*d.* This sum did not include anything for relief, afterwards rendered necessary from orphanage and widowhood. As a mere money calculation then, to the local rates of the town, I am inclined to believe the present system cheaper than the former one, but when I consider the large amount of preventable sickness and premature death, with its concomitant widowhood and orphanage, and how useful these institutions are rendered in elevating the moral character of a long-neglected and generally houseless class of people, and other benefits which the space of my present letter prevents me entering upon, I think I may fairly add, that nothing which I can say could sufficiently commend these institutions to the attention of the municipal authorities of this country.'

were landed in the Crimea mere scarecrows, with which we would not feed dogs in this country, and then driven up to the front to be killed. Personally, he could not, for two months, eat a single piece of flesh, for he loathed it, and no amount of cooking could disguise the disease. In the Crimea it was the usual practice not to send intelligent men to attend upon the sick, but to tell off the drunken and idle soldiers as hospital orderlies. He had heard these fellows, in their drunken brawls, adding fresh horrors to the already terrible calamities of wounds and disease. He had known the entire hospital divested of its orderlies without any notice being given to the medical men. When he had the misfortune to be wounded, the orderly told off to attend to him was seized with cholera, and the poor fellow lay down beside the bed, screaming and dying, no one coming near either of them for more than three hours. The mortality amongst the line and the officers respectively was as five to one. With regard to the great hospitals at Scutari, no form of ventilation was attempted to be carried out before the sanitary commission arrived; and on the second day, when the commission walked through the corridors, they broke with their own hands 400 panes of glass in the hospital windows, to let out the foul air.

Dr. Farr said it was impossible to overrate the importance of the subject which had been so ably discussed in Miss Nightingale's papers. Hospitals were peculiarly Christian institutions; they owed their origin to Christianity, and to the charity which it inculcated. In the Middle Ages there were other asylums for the sick, the infirm, the lepers, which then existed in great numbers. In the sixteenth century the great London hospitals were opened for patients, who were subsequently treated by surgeons and physicians. Harvey was one of the physicians of St. Bartholomew's Hospital; Chiselden was surgeon to St. Thomas's. In the beginning of the last century, the large county hospitals were erected, and in the present day thousands of the best classes of the labouring poor were treated within their walls. They had been the centre of the great medical schools, where young surgeons had studied disease. Hitherto the utility of hospitals as curative institutions had been exceedingly equivocal. We had actually diseases in hospitals which exist nowhere else—diseases named after hospitals. Hospital gangrene, hospital erysipelas, hospital pyæmia, hospital fever. All the old hospitals were badly constructed. Miss Nightingale had enumerated their leading defects. The reform of these old structures was by no means an easy task, and, as she showed, more hospitals were in course of erection on unsound principles. The evil was great, pressing, and increasing, and it appeared to him that the National Association was called upon to make the most energetic exertions to meet and quell it. He should regret to see a very large number of the sick poor taken from their homes and their friends in sickness, as he thought it desirable that in general the sick should remain isolated, and that our efforts should be mainly directed to improve the sanitary condition of their dwellings. But for many of the sick in our large cities, and also in the country, hospitals were required;

and it was our duty to render those hospitals healthy abodes, which would, he thought, be most effectually done by carrying out Miss Nightingale's plans. To do this, her papers should be largely circulated among the medical officers, the governors, and the promoters of all existing hospitals.

Mr. Bracebridge moved, and Dr. Farr seconded, a resolution to the effect that the papers should be separately printed and circulated by the Association among all the hospital authorities of the United Kingdom.

The Earl of Shaftesbury said it was impossible to hear these papers without being struck with admiration. They reflected the greatest honour on this most remarkable lady, and he trusted that we should see her views carried out.

In a paper 'On the Duties of Officers of Health,' Mr. Beale dwelt on the necessity for improved sanitary conditions, and the importance of the duties of Health Officers in drawing attention to, and enforcing them. No more important question could be agitated than the means of improving the health of the working classes. Vast numbers of the population in our towns had been suffered to sink lower and lower in physical and moral power. It was impossible to see this tendency and not to be alarmed at the consequences of a still continuing deterioration of health and vigour. The tendency of modern civilization was to congregate the population into large towns, and the future prosperity of our country depended on our power of improving the sanitary condition of their inhabitants.

Two papers were then read which brought forward the question of asylums for the insane, and the law of lunacy. That contributed by Dr. Conolly, of Hanwell, is printed in full at page 514. Dr. Robinson, in his paper 'On the Further Amendment of the Law of Lunacy,' pointed out that an efficient law should provide for, 1. The admission of the insane into asylums, or their restraint elsewhere in such a degree as might secure the public and themselves from injury; 2. Their humane and proper treatment while under restraint; 3. Their liberation from restraint when mental disease was removed; 4. The collection, for the public good, of such medical and statistical information as might be made available for the future prevention and treatment of insanity. He dwelt on several defects in the existing law, such as the admission of patients into asylums by medical certificate alone, while (as he strongly urged) the great majority of medical men had no opportunity of gaining a practical knowledge of the peculiarities of mental disease. He proposed—1. In the case of private patients about to be confined in asylums, that in addition to the certificate of the medical practitioner who might have been in attendance, a voucher of the fact of insanity, together with a statement of the reasons for adopting that conclusion, should be obtained from the district inspector, or in his absence from a specially qualified practitioner, who might be termed a licentiate in lunacy. The power of granting this licence might either be left in the hands of the medical Commissioners in Lunacy, or remain with any of the medical

examining boards. By thus restricting the power of granting the second certificate of insanity to those medical men who possessed a practical knowledge of mental disease, an inducement would be held out to future students of medicine to avail themselves of the opportunities now afforded by the opening of several large asylums for the clinical study of insanity, while the medical colleges would also probably be led to direct more attention to this subject in their examinations and curricula. There might also be some advantage in requiring each application for the admission of a private patient to be countersigned by a magistrate or clergyman previously to its having legal effect. This precaution would not be calculated to cast any additional light upon the mental state of the patient, but simply guarantee as far as possible the respectability of character of the person making the application. 2. In cases where patients of any class have been admitted into an asylum as 'dangerous' lunatics, they should not be discharged without a special certificate from the medical officer of the asylum or the district inspector, and to the latter all disputed cases should be referred. 3. When from any mental disorder it may become necessary to confine any adult in a private house or dwelling for more than a certain period (say six weeks), notice of the fact should at the expiration of that period be sent to the district inspector, whose duty it should be to visit the patient at the earliest opportunity for the purpose of examining his or her mental state. And having satisfied himself of the patient's insanity, it should further be the duty of the district inspector to enter the case in his register, and subsequently visit the patient at least twice in each year, reporting to the Commissioners after each visit any alterations in the mental condition of the person confined, or any indications of cruelty or neglect which may have fallen under his observation.

Dr. Robinson also argued strongly in favour of private over public asylums for large classes of cases, and expressed his conviction that the general condition and management of such institutions had been grossly misrepresented. After some discussion—

The President stated that he had very strong views on this subject. He would not trust one single person with despotic, uncontrolled, and unseen exercise of power; and he could occupy them for hours with records of horrors surpassing everything they could imagine coming upon persons of the greatest wealth and position, who had been brought to suffering and degradation far below the most wretched pauper in the most wretched city of her Majesty's dominions. Whatever they did, if it should please Providence to inflict any of their relatives with that disorder, let them listen to the advice which he had always given —which he would act upon if his own wife or his own daughter was unhappily afflicted—that wife or daughter should be transferred to some private asylum, in order that persons might know where she was. He assured them there was no one class of human beings in existence so much to be pitied as that particular class of small tradesmen, or persons with small incomes, if visited with the malady.

Persons in that condition could not be sent to a pauper asylum. What else was open to them? There was no form of medical treatment to be had in private asylums that could be had under a less payment than a guinea a week. To a small tradesman, or a young lawyer fighting the battle of life in a dark chamber, that payment would be a hopeless thing. To meet that, they should endeavour to found a public asylum for the middle classes and persons with small incomes, where moderate charges would be the rule. Now, if medical men allowed cases to go on until the evidence of insanity was so unmistakeable that every one was convinced, why, then the parties would be utterly incurable, without any possibility of being brought to their senses again. The only hope was in the first development of the disorder; if then put under proper control, the probability was that 75 per cent. of the patients might be cured; but if they allowed the disease to go on for twelve months, he would ask any medical man whether the cures he would effect would be two in a hundred.

Mr. T. C. Orr read the paper printed at page 450, on which a keen discussion took place.

Mr. M'Gowan stated that many of the clauses of the Public Health Act of 1848 were embodied in an Act passed in 1855 for Scotland, and the Legislature seemed to have had in their minds, at the time they passed that Act of Parliament, the difficulty of getting the local authorities into action. The Act itself provides that its powers shall be exercised by the Town Council when they have exclusive jurisdiction over the locality, or by the Police Commissioners when they have exclusive jurisdiction; and if the place be under a mixed jurisdiction, then the Board of Supervision, constituted by the Act, are to sit and determine which of the two local authorities shall carry out the Act of Parliament. Now, in Glasgow, the Town Council and the Police Commissioners have concurrent jurisdiction. Under these circumstances, all that was required to be done was to get the Board of Supervision to say which of the two authorities should carry out the Act. If the constituted authorities under the Act do not do these things after they are ordered, the Act provides that any two householders may lay a complaint before the Procurator-Fiscal or other officer named in the Act, and require him to call on the local authorities to carry out the Act of Parliament. The Act of Parliament, it is evident, supposes that the Procurator-Fiscal may not be willing to do his duty, for it goes on to say that if the local authorities will not do their duty, and if the Procurator-Fiscal will not do his duty—that is, in fact, if everybody refuses to do what he ought to do—then a complaint shall lie to the sheriff, who is to call on the local authorities to do what is right and proper. So that let the constituted authorities be as obstinate as they like, if two householders will take the initiative and lodge a complaint, the law will be found too strong for them, and the Act will be carried into effect. He advised Mr. Orr to get two medical gentlemen to take the necessary steps to set this admirable law in motion, and mentioned that with regard to the pol-

lution of streams, there was in Liverpool a penalty of 50*l.* in every case where impure matter was discharged into the river.

Dr. Milroy said the Town Council of Glasgow were carrying out magnificent works for giving to their city the most abundant supply of water which any city of modern times enjoyed, but experience convinced him that water supply, without adequate sewerage, was often a curse, and not a blessing, and this latter they did not seem willing to provide.

Mr. Bateman, C.E., of Glasgow, assured the meeting that the Town Council of Glasgow were not only fully alive to the importance of the water supply, but also to the equally important subject of sewerage, which they had made their consideration for years. Glasgow was situated somewhat like London, upon a tidal river, and experienced the same engineering difficulties in consequence. They were trying numerous experiments with regard to deodorization, part of which were now concluded, and the results would soon be before the public; the Town Council did not wish to commit themselves to any particular scheme before the results of those experiments were known.

Mr. Holland understood that the Town Council had only expended 4000*l.* in sewerage in ten years. How after that any one could say that the Town Council of Glasgow were not behindhand in the march of sanitary progress was to him astonishing. He hoped that Mr. Orr's paper would have the effect of directing the attention of the public of Glasgow to the fact of this neglect of the local authorities, and to the fearful state in which the poor of that great city live. The dwellings of the poor were wretched, and the mortality was something frightful. He believed it was higher than even it used to be in Liverpool, and that it was now 30 in the 1000. The courts or 'wynds,' as they call them, are in the most filthy and disreputable condition. Liverpool ten years ago was almost in as bad a condition as Glasgow now is, but those who remembered what it then was would be astonished and gratified at its present improved state. The improvement that had taken place was really wonderful, and the effect upon the health of the inhabitants was something surprising. They were saving ten lives a day now as compared with the mortality that formerly existed, and he believed they might yet save ten more. But they must not relax in their efforts, for, as was well said the other night, the very success which has blessed those efforts imposed on them fresh responsibilities.

Mr. Rawlinson, C.E.—No doubt the supply of water, when brought in from Loch Katrine, would be a great thing for the city of Glasgow; but, as an engineer who had some experience in the chief sewerage undertakings of the country, he would say that it might prove an evil instead of a benefit in its present state.

On Friday the Department sat in two sections. In the first, under the Presidency of Lord Shaftesbury, the proceedings commenced with the reading of a group of papers on sewage and disinfectants.

Mr. T. Baker in his 'Experiences of Disinfection' observed, that if we acted upon a fœtid substance so as to remove its offensive smell, but without arresting the chemical action by which the stench-giving gases were produced, we merely deoderized it, the effect was temporary, the bad smell would return, and with it the inconvenience and the danger; but if we acted upon such a substance so as not merely to do away with the foul smell, but to arrest the process in which the noxious gases were generated, so that they shall not again arise from that substance, then we accomplished its disinfection. The former was temporary, the latter permanent. The one might give an idea of immunity from danger which was delusive, the other was a real security. One of the most effective antiseptic agents was sulphurous acid; this it had been found convenient to use in union with a base; the base possessing the highest antiseptic properties was magnesia, and *sulphite of magnesia* formed a compound with a concentration of antiseptic properties. In order to have a cumulative force, and to raise the antiseptic power of the disinfectant to the highest degree possible with our present knowledge of this subject, carbolic or phenic acid (a substance analogous to creosote, and possessing strong antiseptic properties,) was mixed with the sulphite of magnesia, and the mixture being reduced to a fine powder, formed a disinfecting agent of very remarkable properties. In determining what should be the components of a disinfectant designed for general use, it was important that its action should not counteract any of the designs indicated in the course and constitution of nature. It ought not to render the substances acted on useless as manures, as was the case when they were treated with chlorides, metallic salts, or oxidising agents. This condition was also fulfilled by the powder he had described, which was called M'Dougall's Disinfectant. He gave many examples of the successful results of its application.

The Rev. Dr. Begg in a paper entitled 'The true Theory of Sanitary Improvement, the Cleansing of the Thames,' deprecated the waste of manure occasioned by the drainage of towns into rivers or into the sea. He recommended the disposal of sewage over the land for agricultural purposes, a mode of disposal which, though costly in the outset, would be cheapest in the end. An enormous capital was required for the proposed cleansing of the Thames; but thus employed, it would become a profitable investment. He held the true theory of sanitary improvement in this respect to be, to rid the city and the river of all pestilential matter, and at the same time to turn to the best account matter, which, though poison to animals, is food to plants.

Mr. R. S. Pittard, Health Officer of St. George's in the East, gave an account of the condition of 'the London Docks and the Thames during the summer of 1858.' He pointed out the extent and oscillation of the filthy portion of the river, an extent of ten or eleven miles, with an oscillation of about nine miles, leaving about two miles of the river, in the centre of which were the London Docks, never free from filth. With regard to the seaward tendency, he believed that in

times of such drought as existed last summer, there was no general seaward tendency whatever; the filth simply scoured down and scoured up again. He believed that the only remedy was interception, according to the plan devised by Mr. Frank Foster, and known as Mr. Bazalgette's plan, making the outlet of the sewage at Barking Creek. With regard to manure, he said it was very common to speak of the immense value of the manure in London sewage. It seemed to him that this was much like talking of the immense value of the gold in the Welsh mountains. Despite the gold at home in Wales, men went to California, Australia, and Columbia for gold; and despite the manure in London sewage, men went to Ichaboe for guano; for reasons that were quite parallel and very obvious, because in each case it was the easiest and cheapest plan. As to the manure being lost to the world generally, every person accustomed to study the grand round of nature's phenomena must see at once that the notion was absurd. The rich supply of food in the estuary of the Thames had increased the population of the unlimitedly prolific star-fishes to such an extent, that he was told the bottom was encrusted, nay, heaped with them; and these could be dredged up, and manufactured into a really good manure, at a profit. He was credibly informed that this manufacture was now actually being carried on. He suggested the building of a dam or weir across the Thames at Greenwich, so as to keep the water in London always at high water level, which would, Mr. Bazalgette's scheme being carried out, give to London a beautiful, clear, brimful, salutiferous lake, a magnificent park of clear and fresh water. All mud would be submerged, all regurgitation prevented. Of course many objections to the plan would arise at first sight. The most obvious of these was, that it would injure the commerce of the river. But a little consideration enabled one to see that, not only would it not injure, but it would considerably improve the commerce of the Thames. Every ship or boat passing the weir would have to pass through locks, of which there might be any number, of any size, whereby it would lose a few minutes of time. But against this disadvantage should be placed the enormous convenience of a uniform, unvarying water-level. Millions were spent in excavating docks, and the chief advantage secured thereby is just an unvarying water level. The Thames above the weir would be one immense dock. The locks at the present dock entrances would be thrown out of use, and the construction of them at any future-made entrances would be unnecessary. Barges and ships, it is true, could no longer be navigated up and down by the tide; but that was a sluggish, helpless style of things, altogether behind the present age, and already there were many small steamers on the river engaged exclusively in towing trains of barges. In like manner the other objections, such as danger of floods from rainfall, and accumulation of deposit, were dissipated, when fairly and deliberately examined. A saving might thus be made in Mr. Bazalgette's scheme, which would perhaps be equal to, at all events would go towards, the cost of the plan now advocated.

Mr. Holland's paper on this subject is printed in full at page 444.

Mr. James Newlands, C.E., read a paper on 'The Past and Present Sanitary Condition of Liverpool,' which has been printed separately for general circulation. In the course of the discussion which followed Mr. Newlands explained that the decrease of mortality of the borough was progressive with the extension of sanitary operations. In 1850 the saving of life was 800, while the saving now was 3750 lives per annum, and the mortality would no doubt further decrease by increased sanitary appliances.

A paper on 'The necessity of providing for the Ventilation of Sewers,' was read by Mr. A. Higginson. He recommended ventilation by means of chimneys placed near the outfall of each main sewer.

Dr. John Davy contributed a paper entitled 'A Few Remarks on Quarantine,' in which doubts were suggested whether the plans usually followed were well adapted to guard against the introduction of disease, even allowing it to be proved that the diseases in question are contagious, as the term is generally understood.

Dr. Milroy's paper on the same subject is given at length at page 521. In the discussion it was generally admitted that the present system of quarantine was defective, and the department recommended the appointment of a committee to consider the whole subject, and submit a report of the results to the next meeting of the Association.

The Rev. Mr. Howson gave an account of 'The Liverpool Nurses' Training Institution,' a benevolent society established for the professional training and maintenance of nurses for the sick. Those who are able to pay, though inadequately, for the services of a nurse in their own homes, are supplied by the society with a person of good character and efficient skill, whose services they could not otherwise have secured, and the remuneration which they can afford is paid into its funds, while those who are too poor to pay anything are supplied gratuitously.

Dr. Murchison, in a paper on 'Continued Fevers considered as diseases which may be prevented,' investigated the causes of the two great divisions of his subject, epidemic and endemic fevers. He adduced striking evidence to prove the highly contagious nature of the former, and the success which attends the measures taken to prevent their propagation. But though propagated by contagion, he held them to be generated by preventable causes. He said epidemic fevers were essentially diseases of the poor and destitute. The great majority of the cases of typhus and relapsing fever admitted into the London Fever Hospital belonged to the very poorest classes of the population. Indeed, except among medical men, and others who had been directly exposed to contagion, these affections might be said to be unknown among the middle and upper classes. Moreover, all the great epidemics of fever had been observed to originate during seasons, or under circumstances, of scarcity and of famine. Such has been observed in this country with regard to the great epidemics of

1728, 1739-41, 1771, 1797-1803, 1817-19, 1826-29, and 1846-49. No evidence could be clearer than that which proved that famine and destitution had an immense influence over the prevalence of epidemic fevers, and constituted their most powerful predisposing causes. Typhus was generated by overcrowding and the breathing of vitiated air. It was known as the 'Jail Distemper,' and as the 'Ship Fever,' which broke out in overcrowded transports. It was also the constant attendant upon warfare. In short, abundant evidence existed to show that if many human beings were crowded together in a confined space with little ventilation, with some other conditions, such as a certain range of temperature, especially if they were poorly nourished, the poison of typhus was generated as an almost necessary consequence. Endemic or pythogenic fever* was only slightly contagious, and an investigation of the circumstances under which it appeared, its confinement to a single locality, its being greatly under the influence of season, its attacking rich and poor alike, so that neither overcrowding nor destitution appear to be its generating causes, all pointed to some special local cause, and he adduced evidence to show that this cause was to be found in putrid emanations from decomposing organic matter. Dr. Murchison said that it was necessary to distinguish the cause of any fever in order to ascertain its nature, as the discovery of that cause would point out the preventive remedy.

In the second section, under the presidency of Mr. Edwin Chadwick, Mr. D. Buxton, of the Deaf and Dumb Institution of Liverpool, read a paper entitled 'An Inquiry into the Causes of Deaf-Dumbness.' The facts treated of were taken from the census of 1851 for Great Britain, from the Irish Commissioners' Report, actual observation of the author in London and Liverpool, and the reports of various institutions in this country, in America, and on the continent of Europe. The object of the paper was to discover whether these causes are inevitable, and whether they are capable of modification or removal. Of 'acquired deafness,' scarlet fever is the principal cause. Other inflammatory diseases have a very marked influence, as was shown by an elaborate table, but scarlet fever is everywhere the most powerful cause of deafness of children occurring after birth. The conclusion which Mr. Buxton drew from a full consideration of the various facts bearing upon the subject was, that with the removal of many predisposing causes of disease, with a better knowledge of the laws of health, with the consequent modification of, perhaps, the disappearance in their more malignant forms, of many fearful epidemics, we might look forward to a reduction in the number of those cases in which loss of hearing is produced in children who have been born without any such defect. Of the persons deaf and dumb, the great majority were born so. Congenital deafness prevails most in country districts, and acquired deafness in town populations, where diseases are most destructive, and accidents most common. It was

* This may be freely translated filth-fever.

shown that the 'preventive check' of a wise discretion might go far to restrict the prevalence of congenital deafness, by preventing unsuitable marriages. Under this head it was mentioned that when a deaf person marries one who hears, the chances of their having a deaf-mute child are 1 to 135; but if the deaf and dumb marry together, 1 in 20 of their offspring will be deaf and dumb. As regards the marriage of relations, the objections are also very strong. The paper concluded thus:—The facts before us seem to point out a probable cause for the prevalence of congenital deaf-dumbness in particular districts, and to hold out the hope that it may be greatly modified in its operation. In Cornwall, Derbyshire, the northern counties of Scotland, among the stationary population of Herefordshire, in the mountainous parts of Ireland, in remote Norway, and alpine Switzerland, the proportion of children born deaf is very large —for here the natives intermarry with each other, age after age; from the cradle to the grave the same people are found fixed to the same spot, pursuing the same occupations; no enterprise leads them abroad—nothing tempts the natives of other localities to come and cast their lot among them; it is a continual process of transmitting their own blood and sinew from generation to generation, and the lowering of the healthy standard of the race is natural and inevitable. But in the border shires of England and Scotland; in the county of Monmouth, which is neither English nor Welsh, because it is both,—in the Channel Islands, where an *entente cordiale* between the English and French races exists, which will long survive the alliances of sovereigns and statesmen,—in our own north-western district of Lancashire and Cheshire, where the clear head and the willing hand find ready employment, come whence they may, and where, in 1851 we had residents from every part of the kingdom and every quarter of the globe, including a Welsh population of 48,454, a Scottish contingent of 31,061, and an Irish one of 214,318 strong,—here it is that congenital deafness falls least heavily; and surely these are indications that the loosening of the strictness of local ties, the readiness and frequency of intercommunication between even the remotest parts of the empire which have been effected by the success of recent enterprise, are destined, in the hands of the Maker and Ruler of our race, to mitigate some of those forms of affliction which we have been accustomed to regard as hopeless beyond remedy.

In the discussion which ensued, the Chairman remarked, that the facts which had been brought before them were of the most important character, and he could confirm, himself, many of the deductions that had been stated.

Papers 'On the Drainage of Croydon,' by Dr. Carpenter; 'On Improved Health in Small Villages,' by Dr. Moffat, were followed by the presentation of Reports from St. Mary Ottery, Southampton, Tottenham, Lancaster, Woolwich and other towns, giving the results of sanitary improvements. These Reports, together with a paper on 'The Sanitary Progress of Ely,' by Mr. Marshall, were, as already

mentioned, referred to the Public Health Committee for further consideration and publication as a separate Report.

A paper 'On the Causes of the recent increase of Leprosy in Norway,' by Dr. Charlton, was read by the Secretary. The paper gave a most interesting account of the habits of the people, attributing the prevalence of the disease to their want of cleanliness in person, the nature of their food, chiefly fish, and that often in a state of decomposition, and to the privations to which they are exposed, especially during the fishing season.

Dr. Milroy, in a paper 'On the Utilizing of Statistics of Disease among the Poor' suggested, that as there were upwards of 3000 medical officers, under the general superintendence of the Poor Law Board, required to keep registers of each case coming before them, the valuable information thus obtained upon the amount and results of sickness among the indigent classes, should be turned to account; medical officers might be requested to furnish monthly returns of sickness and mortality among out-door paupers, and a medical officer might be attached to the Poor Law Board for the purpose of general inspection. Diseases among the poorer working-classes would, he believed, be found at the root of pauperism, and a report founded on the returns of parochial medical officers would largely facilitate the inquiry into the causes of disease, and the extension of preventive measures.

On a review of the work done by the Public Health Department at the Liverpool meeting, it will be seen that, putting aside a few special subjects, the questions discussed may be classed under two main head—Drainage and Ventilation. To drain our towns effectually, without polluting our rivers and lesser streams, and to utilize as far as possible the sewage matter,—to ventilate in the best way, and at the least cost, our private houses and public buildings,—these are the two problems which sanitary reformers at the present moment desire to solve. It is hoped that the facts and suggestions collected in this, as in the previous volume of Transactions, afford some useful materials for the formation of a sound public opinion on both these important points.

SOCIAL ECONOMY.

ECONOMIC SCIENCE.

On the Importance of the Office and Duty of the Statist in relation to Social Science. By J. T. Danson, F.S.S

HAVING the honour, in conjunction with my friend Mr. Tayler, to represent here the Statistical Society of London, I trust you will not deem it otherwise than fitting that I should address you on this subject, by way of suggestion.

Statistics, as they are, are commonly very dry, and, to most of us, uninteresting. Dry, in some degree, I fear they must always be; but, were they what they should be, they would soon acquire a wide and permanent interest. However, all I ask you now to consider is their importance, and the rank they should consequently assume in your estimation, as students of the science of society; and I need hardly be long enough about that to give scope for being tedious.

That good actions do not always, or even often, come of good intentions, was observed long ago, and recorded in a proverb more pithy than polite. Nature seems to be, in the mind of man, as prodigal of such seed as, in the vegetable world, of other seed. And the causes of failure are in each case numerous and various. The slips between virtuous intent and effected good are traceable to almost every influence that can affect human conduct. Lack of power, knowledge, discretion, perseverance, skill: all, or any of these, together or apart, may nip the bud that should have bloomed in action. To one, only, do I now ask your attention,—want of *knowledge*. I conceive this to be the one, of all others, most worthy of our efforts, alike to detect and to supply.

Archbishop Whately has defined 'knowledge' to be—1. Firm belief. 2. Of what is true, and 3. On sufficient grounds.

We have many firm beliefs; and many of them, no doubt, of what is true. But we have not so many based on sufficient grounds. We are now, however, in search of new truths, not examining the validity of those already recognised; and it may be worth while to consider whether we should not do well to look, first, to the sufficiency of the grounds on which the propositions presented to us are entertained at all—then to their truth—and, finally, to let the measure of our belief, as a basis for action, be determined solely by the result of the prior processes.

We now seek knowledge avowedly with the intention of doing good. We may, therefore, assume the presence of a good intention; and one strong enough, other elements being also present, to effect the good

intended. The next requisite is knowledge of the right means. And the next, power to apply them. And we are assembled here because, in the second stage—that of knowing the right means—and not in the first (the intention), or in the third (the power), the social reformers of our day mainly find their failures. We have the moral element—the desire to do good. And we have the physical—more power than we can wisely apply. But very sadly are we wanting, as must, I think, be apparent to all earnest and intelligent observers of what are termed our 'benevolent institutions,' in the intellectual one—'knowing how to do it.'

As to most things done by men in these days, we are not so defective. How comes it that we are so in this? Two causes are obvious.

One is, that, when consciously animated by high and pure motives, we are apt to presume upon them, even against nature—to take for granted that well-intended efforts do, to some extent, insure their own success: in short, that what all must or ought to wish to see effected may count upon effect, without a very rigorous preposition of natural causes. Of course we all know that it is not so: that the highest moral excellence does not suffice to work miracles; and that the projects of the best, as of the worst men, must flourish or fail in accordance with the natural laws under which they are conducted. Yet no one who has observed how much active philanthropy annually runs to waste, or works evil, in England alone, will doubt the real influence of this delusion.

Another cause is, manifestly, the insufficiency and unfitness of the methods hitherto used for giving us a due acquaintance with these natural laws. I will not waste your time with any attempt to demonstrate their existence, or their invariable action. Admission of so much is implied in our very presence here. For to what end could we labour in the promotion of a science resting on no fixed basis? Either we start with premises analogous, in their unchangeable certainty, to those adopted by the mathematician, the astronomer, and the chemist, or the position we have assumed is utterly untenable, and our purposes the vainest that ever led men astray.

Then we must know these laws; and know them completely, so far as they are applicable to what we are about. And, until we do so know them, we must, to be consistent, move forward, in all social reforms, with the patience of failure proper to mere gropers in the dark. And, what is of even more consequence, we must, during this intermediate period, count upon much waste of means, of many kinds: of time, of thought, of money, and, not least—of that vast fund of eager, wilful, wayward support from on-lookers, worth so much when success can be confidently promised, and so fitful, and so apt to fail, when the accomplishment of the good end is confessedly uncertain.

Let us, then, consider betimes, and carefully, the character of the science we desire to build up. For, as its character, so must obviously be its methods.

It is clear that the social science is not like mathematics, in which

observation has very little to do, and reasoning all the rest. Nor does it resemble chemistry, in which experiment effects almost everything, and right reasoning, though always necessary, is never extensively so. It is largely a science of observation, and seems rather analogous to the higher physical sciences. Yet not closely so; for the facts on which it is based are far more numerous, and, in their operation, more complicated; and are consequently far less easy to observe and record with accuracy than those submitted to the students of any physical science whatever. Man himself, confessedly the highest of all studies, even in his individual capacity, seems, when contemplated in his manifold social relations, and, in these, with reference to his progress in civilization, calculated to afford the most arduous employment to the loftiest powers conferred on his race. In short, I hold ours, when rightly understood, to be the greatest of all the sciences; and fitly dealt with last, as founded upon and drawing aid from all the rest—imparting in return, however, assurance of a higher common use than any these sciences could otherwise attain. But whatever its precise place in the great circle of science, it must, to bear good fruit, pass, like every other real science, through two successive stages. We must first ascertain its data, and then, from these, deduce its principles, or laws. To each process—the *observing* and the *reasoning*—accuracy is essential. The former I take to be especially the office of *the statist;* the latter, that of *the social economist:* to apply the truths thus educed falling within the province of *the statesman.* And the propriety of regarding these distinctions with some care now is aptly and strongly illustrated by the very natural, but mistaken tendency, exhibited by the most earnest and practical men of our day, to *reverse* the order of inquiry thus indicated: to allow the particular and temporary necessities of the statesman not only to suggest our inquiries, but to determine their direction and their limits, and thence to substitute ultimate and merely empirical conclusions for well-ascertained primary principles.

I know that, by the more popular method, we get sooner into action—answer sooner the pressing demand of the philanthropist of this generation to be allowed to do good in his own day. But what sort of action is it? The answer is a sad one. We do but continue, more slowly, and less efficiently, in the narrow field of experiment, the process we have not the patience adequately to conduct over the wider one of observation.

Very strongly do I sympathise with the desire to do good quickly. But we cannot do it without knowing how. To be rapidly effective, we must be correct in our course from the beginning. We must avoid the loss of time incurred in making avoidable mistakes. We must look *first*, and look *well*, to our *data*. It is the universal and inevitable condition of success in all such effort.

The office of the statist is more or less necessary to all sciences dependent on observation; but pre-eminently so to ours. When regarded within its narrowest limits, its purpose is to ascertain and to state, completely, accurately, and intelligibly, the facts indicating

the phenomena under consideration, whatever these may be, and as they exist at any one time. In a more extended sense, it embraces comparison, or provision for comparison, of two or more such statements relating to the same locality at different times, or to different localities at the same time. M. Comte in France, M. Quetelet in Belgium, and our distinguished countryman, Mr. John Mill, have concurred in regarding the knowledge of society thus acquired as being related to history somewhat as the physical science of statics is to that of dynamics. It is for the statist, then, rightly to observe and record what may afterwards be rightly reasoned upon—to see, and to set down; and to do both truly and sufficiently.

Now permit me to say that this is by no means so simple a task as, at first sight, it may seem, or as it is commonly supposed to be.

Few things, I know, are even now more common in grave argument than statistical statements; yet nothing is more rare than accuracy in such statements—unless it be completeness. And what has been sown is reaped—reaped in the taunt that 'figures will prove anything.'

I will state one or two instances of the commoner forms of error affecting such discussions as are now proceeding in other parts of this building.

We have all seen statements of the number of persons convicted of a given crime—say theft—during a year, and among groups of population similar in number, as indicating the comparative tendency of the compared populations to the commission of this crime. But unless we are also assured that the several steps by which the facts stated were elicited were, for all practical purposes, the same in both cases, such a statement is obviously imperfect. For instance, there are the *facilities* afforded to the commission of the crime. Some forms of theft are, in some localities, *necessarily rare.* Simple theft from the person, without violence—as picking pockets—is common in large towns, and comparatively uncommon in the country. Cattle-stealing hardly ever occurs except in the country. Cotton-stealing is so common in Liverpool as to form a regular occupation. In many other towns it has probably never occurred. Then, the crime being committed, there are the *means of detection,* in which must be included the probability, greater or less, of the detection, when it occurs, being reported to the public authorities. Next, the local means, and method of *administering justice,* and recording the results. And, lastly, the *local definition* of the crime in question. All compared localities may differ, more or less, in all or any of these particulars. And the same locality at different times may, and most commonly does, exhibit similar differences. And every such difference must, it is obvious, affect, to some extent, the validity of such a comparison as I have supposed, and its fitness to form the basis of any process of reasoning whatever.

An error of a similar description—the omission of all reference to the distribution of ages in compared populations—has long vitiated comparisons of different localities, with reference both to crime and to

mortality. And this, notwithstanding it is perfectly well established that different rates of mortality prevail at different periods of life in the same population; and that the tendency to crime is similarly varied by age. It so happens that in all the great working centres of our population—as in Liverpool, Manchester, and Glasgow—we have a large excess, as compared with the average of the country, of persons living at those periods of life at which the tendency to crime is observed to be the greatest. So that when we compare one of these towns with any locality of a different character in this respect, we must, to make our statistics of any real value for the purpose supposed, take this element into account.

Again, crime, especially some forms of it, has an evident relation, though one not yet well defined, to the density of the population in which it is committed. And this relation is not limited to permanent and general density. It follows, also, particular and temporary variations of the density. For instance, it has been observed that theft from the person (the commonest form of the crime) is favoured, as we might expect, by every description of crowd, whether it assembles to hear a bishop's charge or to see a man hung. Even the respectable body I have the honour to address, while promoting the study of the social science in Liverpool, is also—as its able chief-constable will doubtless next week be able to prove—favouring the application of a species of nefarious skill which is never absent from any part of England in which such facilities are, even for a single day, afforded for its exercise.

These instances are few; and are perhaps not so striking as others which might have been adduced. Yet I trust they will show in some degree in what consists the office of the *statist*—what is its utility—and wherein, when rightly understood, it differs from that of a mere collector and tabulator of figures.

Nor is this all. The statist, though he may not himself undertake to apply the materials he brings together, will hardly do his duty well except in view, not only of their final use, but of the methods to be employed to this end. To *observe with effect*, he must discriminate and select his facts—not narrowly, as to support a preconceived answer to the pending inquiry, but broadly, so as to record, without needless surplusage, everything apparently bearing upon the inquiry itself, and likely to subserve its logical pursuit. Then he must define his terms. To use these inaccurately may be a fertile source of error for those who come after. And he must adhere to his definitions. To use a term in more than one sense is to ensure its being misunderstood. And either fault risks the making of a statement false in effect, if not in intention. This need for precise and accurate definition runs through every stage of our inquiries; but is most important in the earliest. It is true that in tracing the first lines of a new science we must needs let precise definition wait upon the acquirement of precise knowledge. But, though not finally fixed, the definition of a term may be perfectly clear; and this clearness, though required only for temporary use, is nevertheless absolutely necessary to a safe and profitable investment of our earlier labours.

A good statist will also be, in some degree, skilled to weigh evidence. The kind of proof we can possibly have of the facts with which we are concerned is seldom or never of the highest description. On the other hand, there can be no need whatever for our relying on evidence which may be fairly deemed doubtful. Observation will always verify, by repetition, any fact really important to social science: for these facts are always numerous, and often repeated; and that under such variety of form as to afford the utmost facility, to those who investigate them with any degree of logical accuracy, for ascertaining them precisely, apart from deceptive intermixture with other and connected facts.

In short, though the ultimate labours of inference are not within the province of the statist, though it is not for him (in that character) to deduce the general conclusions which, once established, reveal the natural law—the object of the inquiry—yet it behoves him not the less carefully to subordinate the preliminary work in which he is properly employed to the same logical methods.

To resume. Our primary duty is to detect and ascertain the natural laws under which our efforts are to be made. We can do this only by observing and recording instances of their actual operation. But, like all such work, this can be done well only by those who are willing to approach it through its rudiments, and, by assiduous application, acquire that facility and accuracy in its performance which constitute valuable proficiency in every art we practise.

Hence it is that I venture to affirm it to be one of the first duties of our Association to provide, as far as may be, for due prominence of the office, and an efficient practice of the duty of the statist—as essentially preliminary to all right reasoning, and to all effective action, in the promotion of social science.

The Educational Aspect and Necessity of Economic Science.

By W. B. Hodgson, LL.D.

If it be objected, as it may be at the outset, that this paper belongs rather to the Second, or Educational, than to the Fifth, or Economic, section of this Association, I answer, first, that in the programme of the business proper to this section is enumerated, 'Social Economies in relation to Education;' second, that my object is not to convince educationists that they should be economists, but (what is, perhaps, a harder task) to urge on economists that they are bound—*as such*—to claim for their science a prominent place in every scheme of education, whether of the few or of the many. It is not uncommon, I am quite aware, for economists to enlarge on the importance, even economically, of a generally diffused education more or less liberal and ample,—and on its tendency to improve a people's habits, to raise their tastes and standard of living, to increase their power of production, and to lessen their proneness wastefully to consume. But I much fear that as yet only a small minority of economists fully

perceive the necessity—for the improvement of a people's economic condition—of the universal diffusion of economic knowledge itself, the knowledge, that is, not of statistical facts, but of principles; not of theories disputed or abstruse, but of *laws* simple, indisputable, inevitable,—a real and thorough comprehension of which in early years (besides the exercise it affords to the mental powers) must guide all subsequent conduct, and regulate the whole future life.

It is the business of economic science to establish and expound the laws on which depends the economic welfare alike of individuals and of nations; while it is on their economic welfare that their well-being in all other respects is ultimately based. Now, all natural (*i.e.* divine), laws on which human well-being depends may be roughly divided into two classes: 1. Those which it is for the general welfare that *some* should study and understand; 2. Those which the general welfare imperatively requires to be studied and understood by *each and all.* Thus, it is of obvious benefit to the whole community that some of its members should study the scientific principles of agriculture, of metallurgy, of navigation. But it is not necessary for the general welfare that every one should turn much attention to any of those subjects. If the farmer, the miner, the navigator, are adequately instructed in the scientific basis of their several arts, and trained duly to their skilful practice, the public interest is amply served.

But, on the other hand, farmer, miner, navigator, and all else alike, must study the laws, say, of health, each for himself, in order to enjoy the blessing of a sound mind in a sound body. Few men bake their own bread, build their own house, shoe their own horse, steer even their own ship; but every man must provide for his own health, under heavy personal penalty for neglect, whether perverse or ignorant.

Now the simple practical question is, 'Do the economic laws belong to the former or to the latter class?' If to the former, then by all means let those whose taste lies that way dissect the economic framework of society, and trace its economic processes just as others study the orbit of a comet, or the locomotion of a caterpillar, or the germination of a plant, or the benumbing apparatus of a *gymnotus electricus*, or the domestic economy of ants, all of them pursuits of worthy interest, and of utility more or less direct. But if, as I think, economic laws do indeed belong to the latter class, then is it the urgent business of every human being to understand their nature and operation. This position I think I may fairly in this place be permitted to assume.

There is one point more which claims our passing notice, while it deserves much more attention than it has hitherto received, or than it can here receive. Most of the natural laws to which man is required to conform his conduct act externally to him, and are beyond his power to change or modify. He may see, and foresee, and provide (*voir, prevoir,* and *pourvoir*), but he cannot alter. Thus gravitation and the laws of storms are quite beyond human control.

In regard to these man's sphere is limited to obedience, adaptation, and precaution. But as Mr. Samuel Bailey has well shown, economic laws are in fact laws of the human mind itself, and act wholly and solely through the play of human will and motive. Questions of supply and demand, whether of labour or of commodities, population, and every other topic with which economic science deals, are all inextricably commingled with human feeling, human thought, human volition. Apart from these they can have no conceivable existence; every change in these modifies their conditions, and shifts their aspect. If the fact is so, and it is not more novel than true, it need scarcely be asked in a meeting of economists whether it is better to rely on the impulses and action of men guided or unguided by knowledge and by reason,—trained or untrained to industry, prudence, self-restraint, sense of obligation, and the perception of consequences,—wise or ignorant as to their relations with their fellow-men, and the means by which only, or best, the social welfare, inclusive of their own, can be attained. As well might it be argued whether a delicate and difficult manual operation can better be conducted in darkness or in open day—by men blindfolded or by men whose eyes are free and practised, and aided by a clear and steady light.

It is, besides, at once singular and sad that the economic relations should be so seldom and so indistinctly viewed as really affording to the vast bulk of mankind the great field for moral discipline, for the exercise and development of almost every moral quality. They have been too long indolently neglected, or superciliously dismissed as alien to a high and spiritual morality. Wisely does Mr. Henry Taylor say, in his 'Notes from Life:' 'The philosophy which affects to teach us a contempt of money does not run very deep; for indeed it ought to be still more clear to the philosopher than it is to ordinary men that there are few things in the world of greater importance. And so manifold are the bearings of money upon the lives and characters of mankind, that an insight which should search out the life of a man in his pecuniary relations, would penetrate into almost every corner of his nature. He who knows, like St. Paul, both how to spare and how to abound, has a great knowledge; for if we take account of all the virtues with which money is mixed up—honesty, justice, generosity, charity, frugality, forethought, self-sacrifice, and of their correlative vices, it is a knowledge which goes near to cover the length and breadth of humanity; and a right measure and manner in getting, saving, spending, taking, lending, borrowing, and bequeathing, would almost argue a perfect man.'

Yet, how little has hitherto been done anywhere to reclaim this wide, and, as it were, outlying region, and apply to it in the daily instruction of the young the great moral principles which all in words acknowledge, but which too many seem practically to regard as too good for common use, too high for the 'petty business of every day.' How little has as yet been anywhere done to implant in the mind of youth the knowledge needful to guide their maturer years through the trials and struggles of earning and spending and saving, and buying and selling, and hiring and letting, and bor-

rowing and lending, and the like, which to the vast majority of mankind make up the sum of active life. The geography of Africa, even of Britain, the History of Rome, even of England, languages ancient or modern, even the elements of physical science, and the practice of a manual art, all useful in their way,—still more the bare instrumental elements of knowledge, which too often 'rust unused,' are poor substitutes for that instruction, at once vital and minute—vital in its spirit, minute in its application to details—which should supply chart and compass in the voyage of business-life, and for that training which should form the habits needful to render the knowledge available, and the voyage safe. As one, whose name is well-known and justly respected in Liverpool, Mr. Henry Booth, has said: 'Morality, indeed, is taught in our families and schools, in connexion with religious offices, and the prospects of a future life; but there is an humbler and more elementary task to be achieved, to show the connexion between morality and science, good conduct and sound philosophy, as essential to the immediate temporal and social well-being of man.'—('Master and Man.' Sec. 7, p. 75. 1853.)

On the whole, it cannot, I think, be denied that hitherto economic science has been far more studied in its abstract and theoretical form than in its practical applications; and that in so far as these have engaged attention, it has been much more in regard to *legislation* than to *education*—much more in regard to the central action of the State, than to the conduct of its individual elements. The time has fully come when the balance should be redressed, and when the individual members of society should be taught to look for relief from economic evils, and for the attainment of economic good, less to the action of rulers and lawgivers, despotic or elective, and more to their own individual conduct, each in his own sphere. It is, assuredly, not from magical feats of legislation, or from (happily) impossible schemes of communism, but from the universally diffused knowledge of economic conditions, and the intelligent self-regulation of individual human conduct in conformity therewith—that we must expect the gradual abatement, however slow, and the ultimate extinction, however distant, of the social evils which now baffle and appal a bewildered philanthropy. Here is the true key to present difficulties and perplexities as to labour and capital, population and pauperism, wages and machinery, and other such questions, which are now to too many popular teachers a hopeless *muddle*, but which will thus approach ever more nearly to a harmonious and happy solution. As Mr. Booth has also said:—'The abstract proposition that the destiny of the working classes is very much in their own hands, will hardly be denied by those who are accustomed to think closely on the subject. But this admission has remained too long a cold and barren abstraction—undeniable, but not of the least avail. I would see it exchanged for a strong and pervading sentiment, urging the multitude to a settled determination, by preserving prudence, forethought, and, if need be, by temporary privation, to improve permanently their outward condition.'—*Ibid.* page 35, § 3.

To have a well-founded hope of any such beneficial result, it is to the

young rather than to the adult that we must address ourselves. It is those only who have made or watched the experiment which Mr. William Ellis of London has inaugurated that are qualified to judge how far such instruction has been, or can be, rendered intelligible, interesting, and profitable to the common pupils of our common schools. Declarations of its impossibility or unsuitableness come ill from those who have never tried it, or seen it tried; and who now exact from the young tasks much more arduous, much less attractive, and much less useful.

To sum up. Mr. Toulmin Smith has said: 'Local self-government is the true Socialism.' Without impugning this *dictum*, I would go deeper and say,—'Individual self-government is the true Socialism.' But how can we have self-government without intelligence, or intelligence without instruction, worthy of the name and adapted to the special end? And when better can we have instruction than in early youth, when habits are yet unformed, when prejudices have not yet taken root, when the mind is still open and apt to learn, and when the nature is still pliant to the plastic hand of the true instructor? That even thus progress must be slow, is a reason not for delay, much less despair, but for action, prompt as well as earnest. The longer and the more toilsome the journey, the sooner, if we are sure of our direction, ought we to take the road.

POPULATION, LABOUR, AND CAPITAL.

Emigration. By J. M. Mackay.

AMONG the many important subjects which affect the social economy of society, there is none so momentous in its results as the emigration of large masses of our population to other lands, while at the same time this great and continuous movement, with few exceptions, goes on with such peaceful and silent regularity, that public attention is rarely excited by the daily ebbing of the dense population around us. No doubt this may be explained by the fact, that these changes are never, except under circumstances of dire necessity, the simultaneous exodus from any particular locality, but commonly the isolated movements of families or individuals from every part of the British Isles, in search of peace and prosperity which they think can be more easily attained elsewhere. As emigrants become successful in their adopted homes, they exhibit a praiseworthy anxiety to be surrounded by their kindred, and a large share of the emigration to the United States of America, in latter years, has proceeded from this source; but whatever may be the influences which produce this outpouring of our population, between 1815 and 1857, a period of forty-two years, no less than 4,683,194 emigrants have left our shores, and of these more than one-half between 1847 and 1854 inclusive.

I need scarcely tell you that the great stream of emigration has always proceeded from Ireland, and in the first famine of 1847, 258,270 took their departure, being more than double the numbers for 1846, and of these, 251,834 went to the United States and Canada. These departures increased, with only one or two intermissions, until 1855, the climax having been reached in 1852, when 368,764, about the annual increase of our population, left us in search of other homes. There is a pleasing retrospect even in these numbers, indicative of the prosperity of the sister island, for while she contributed 75¾ per cent. of the whole emigration in 1851, she only sent 40½ in 1857. The destinations, too, of our adventurous fellow-countrymen since 1852 are no less cheering, for although in 1851 only 6½ per cent. went to our Australian colonies from the various parts of the United Kingdom, I find the increase had extended to 29 per cent. in 1857, and this year it will most probably count not less than one-half of our entire emigration. In the midst of my avocations, connected chiefly with emigration, I have not been altogether negligent in my endeavours to fathom the causes which produce such sudden changes in the numbers who under ordinary circumstances seek to better their condition in our colonies. No doubt the recruiting sergeant during the heat of the Crimean war, and the fiery indignation of the Indian revolt, carried away many aspiring youths from the Black Ball Flag I represent, to the glorious banner of their Queen, and I can also understand the sudden impulses which hurry men off when the discovery of a new gold field, with fabulous descriptions of its riches, are blazoned over the land; but I confess, I am still unable to explain why, in two years of comparative equality, twice as many should emigrate in one year as the other, a result which I look forward to in 1857 compared with 1858. It is a paradox worthy of investigation, for I have made the most minute inquiries through an agency of 300 intelligent men of business, and with one accord they have confessed it inexplicable.

The number of males who emigrate is, in consequence of the demand for their labour in all new colonies, much greater than females; indeed, to Australia, the proportion was nearly three to two, and although the efforts of the emigration commissioners to lessen the disparity by appropriating the colonial funds entrusted to them, in sending out as many eligible single women as possible, are incessant, I must be ungallant enough to add, that they find more difficulty in making a proper selection than would be supposed. There is one beautiful feature in the Irish character connected with emigration which shines in charming contrast to the cooler and more calculating affection of either the Englishman or the Scot—I refer to the immense sums remitted by successful Irishmen for the purpose of bringing out their indigent relatives to participate in their prosperity. Since 1848 the amount sent to this country from America alone has been 9,937,000*l.*, about a million a year. It is beyond all human power to calculate the amount of misery which this prodigious fund has not only relieved, but absolutely annihilated.

It is not the least interesting part of our inquiry (I am indebted to the Report of the Emigration Commissioners for the past year for the information) to examine the different classes of people who go from among us. Chief among the tens of thousands are those under the generic term of labourer, the 'hewers of wood and drawers of water,' whose ambition rarely extends beyond good diet, decent clothing, and a comfortable bed; and I find the proportion their numbers bear to all other emigrants, whatever clime they seek to sojourn in, is very much alike. Next come the more hopeless mass, who acknowledge no distinct occupation, but, like weeds, grow apace in the great garden of life, and being useless in the Old World, are thrown over the wall in the hope of a better germination in the New. Then follow those whose pursuits have been less or more associated with agriculture, and the number who seek their fortune among the pastoral lands of Australia shows how much these are preferred to the prairies of the Far West, or the forests of British America. Miners and quarrymen muster strongly also among the Australian emigrants, showing how much more attractive are the gold fields of Bendigo and Ballarat than the coal mines of Pennsylvania and Nova Scotia. Carpenters and joiners, the most useful men in all countries, new or old, have not left us in such numbers as we would suppose, for they only amount to 2500, and of these only one-third went to the southern hemisphere. I fear to name the number of 'gentlemen and professional men' who couldn't find the means of existence among us. About 1100 went to America, while Australia was deluged to the extent of 1200. It seems in vain to warn those who come under the definition of 'gentlemen' that hands and capital are the stuff for young settlements. Every family sends its fastest son to learn steadiness and make a livelihood or a fortune in some of our colonies, and after exhausting his shattered frame at the diggings or elsewhere, he usually falls back upon the towns, a wreck if not a curse to the community. Strange to say only 1050 masons, bricklayers, plasterers, and slaters have emigrated during the past year, and in equal numbers, West and South. The demand for masons at the Cape of Good Hope, where there is abundance of good stone, is likely to draw off large numbers during the present season, but the increasing numbers of stone buildings in all the large towns of England may account for the indisposition to seek employment elsewhere. I fear the exodus of painters, paper-hangers, plumbers, and glaziers would hardly warrant the idea of the extravagant decorations we hear so much about occasionally from abroad, nor the extension of those domestic comforts which are really our greatest luxuries now a-days. As for the outpouring of boot and shoemakers, I couldn't divine the paucity of their numbers, until I learnt that the price of soling and heeling at Melbourne was 14*s.*, and as a new pair of shoes can be had for 15*s.*, truly the cobbler's occupation in Australia, if it ever had a beginning, is gone. I was wondering why so few bakers were tempted to expatriate themselves, when I remembered that in Australia 'damper'

was what the Americans call an 'institution;' and no doubt the scarcity of tailors as emigrants may be explained by the large export of ready-made clothing, and the indisposition of those who follow such sedentary employments ever to go into the 'bush.' Engineers seem alive to the openings which must necessarily arise in such communities, for 300, in nearly equal numbers between America and Australia, have taken their departure; while there seems to have been great misgivings as to the cultivation of native manufactures, for only two tallow-chandlers and soap-makers ventured on the speculation. Of the fair sex, I find a goodly number of 11,000 of that most equivocal occupation abroad—viz., domestic servants—have sought to 'better their condition' by looking for places—6600 in Australia, and the rest to add to the army of indifferent 'helps' in America. Truly glad was I to find that of the most patient, most honourable, most useful, and most ill-requited of all professions—I mean governesses—only twenty were found adventurous enough, in defiance of all warning, to seek an asylum in Australia, while three had courage enough to trust their fortunes in America.

A good deal has been said and written about the moral supervision of emigrants during their voyage, but after a very anxious inquiry I have never been able to find out anything to warrant the statement, that systematic profligacy is the rule rather than the exception. Indeed the large numbers who are usually congregated together forbid the idea of gross improprieties, unless we are prepared to admit that human nature, under such associations, sinks to a level with the brute creation. The accusation has never been made except in a loose general way, and I believe it in the main to be entirely without foundation.

Another and most important section of the subject is the machinery which regulates this vast movement, and its history records a reformation producing more real comfort than any other social revolution of the present century. The first emigration act of any value, was that passed in 1835, wherein the 'tween decks were only required to be five and a half feet high, a fact indicative of the small size of vessels then in use, and if there were more than two tiers of berths (an arrangement now perfectly inadmissible), the lowest were to be at least six inches from the deck. Not a word was written about light or ventilation, and a supply of provisions equal to one pound per day of bread, or biscuits, or oatmeal, or seven pounds of potatoes as an equivalent, was the dietary of the poor emigrants, unless they brought supplies of their own. The maximum penalty for any violation of the Act was only 20*l.* In those days there was no survey as to the seaworthiness of the vessel, unless the Collector of Customs was informed to the contrary, an event never likely to take place, except from vindictiveness or jealousy; and it was not until 1845 that competent surveyors were appointed, whose examination of emigrant ships and their equipments is now so stringent as to have obtained the most perfect confidence of the underwriters. I have not been able to gain

access to any authentic records of the sickness, mortality, or loss by shipwreck during the earlier efforts at legislation, but I fear they would tell a sad story of misery and disaster. But there was a time coming to test the total inadequacy of the law as it then stood. There was a famine in the land, and year after year the destruction of the potato crop spread despair and starvation among the people of Ireland, who fled in myriads, as from the avenging angel. They landed on the quays of this town in thousands every day, and the first impulse was to rush to the nearest ship bound for America. Every vessel was crowded with the famished wretches, and amid an atmosphere which became hourly more poisonous, a light which only served to 'make the darkness visible,' and a dietary barely sufficient to keep the lamp of life flickering in the socket, arose that terrific scourge the ship fever, which in its merciless rage spread such havoc among these helpless creatures so predisposed to disease. Happily in this emergency the Emigration Commissioners were 'the right men in the right place;' their orders were peremptory for increased light and ventilation; issues of beef and pork, which were then only permitted as substitutes for farinaceous food, were made imperative, and by degrees the much dreaded malady was subdued. In 1852 and 1855 more stringent acts were passed, and since those periods the improvement of the emigrant ships is in every respect so remarkable, that the mortality among the greatest number on the longest voyage is less than among the same number inhabiting the most salubrious spot in England. No doubt the immense change in the character of the ships in this service, whose tonnage has increased from 500 tons to 1000 or 2500 tons, with 'tween decks from seven to eight feet high, instead of five feet six, and ventilation along their entire space, has had a material influence in producing this sanitary change, and in making a voyage to the Antipodes a comparative luxury. It gives me great pleasure to testify to the valued labours of the emigration officers who have carried out all these improvements. In less than five years and a half, 2031 ships, counting 2,516,259 tons, have been despatched from Liverpool, carrying 789,581 passengers, their provisions, medicines, and water have all been examined, their hulls and rigging, berths, accommodation, and hospitals surveyed, every complaint redressed, and in cases of Government emigrants (not less than 100,000 in number), every article in their kits examined by Captain Schomberg and his staff, consisting of only thirteen persons, and all at a cost of about 2000*l.* per annum.

But after all, the grand consideration is, what are the effects of this mighty exodus? It may be hard to trace the exact course of our 2,800,000 emigrants who have gone to America (more than one-tenth of the population of the United States) amid the ceaseless workings of that great republic, but no one can deny them a fair share in its progress; and when we measure this by its products, that of cotton alone being only second in importance to our own wheat crop, from the millions now dependent upon its manufacture, can we doubt for a moment that their industry has contributed, in no mean degree, to

the riches and happiness of their native land. The same process has been in action in British America, and although neither the soil nor climate has been so congenial to the cultivation of many valuable crops as the sunny South, yet upwards of a million of our fellow-countrymen have carried there the indomitable perseverance of the Anglo-Saxon race, cleared the dense forests of the Canadas, and made them, with their inland seas, tributary to their own comfort, as well as to the wealth of Old England. But it is to our Australian Colonies we must look, if we would see the most extraordinary development of emigration in the history of the human race. It seems but yesterday that New South Wales, then only known as Botany Bay, was associated in our minds with all the pains and penalties of a convict settlement. Indeed, the first record of any one leaving England for Sydney, who did not 'leave it for his country's good,' was only thirty-three years ago, and with the exception of the four years, from 1838 to 1851, when an extraordinary excitement existed, and upwards of 78,000 emigrants sailed for Australia, the increase of the population was very gradual, although great pastoral prosperity was known to exist, and a growing inclination towards its shores was very perceptible. By this time Victoria had emerged from its infancy, and Melbourne, from its situation as the outlet of a large district, teeming with abundant pastures, was becoming a place of some importance, while the rich ores of South Australia, together with its fertile soil and fine climate, had also advanced it in an almost equal degree. Van Diemen's Land, now Tasmania, had then become the great receptacle for our convicts, and was thriving even with the aid of such labour, overawed by a considerable gentry and middle class population of many years' growth; while New Zealand, struggling against an artificial system of emigration, was comparatively forgotten. Such was the picture of the Australian group within the last seven years; their population scarcely exceeded 300,000, but great industry and contentment reigned everywhere, and the young offshoots from the mother country were diligent in the patriarchal occupation of shepherds, or the more daring pursuits of the cattle and horse-breeding stations. At length a rumour went abroad that an adventurer from California (and the name of Hargreaves should never be forgotten) had discovered gold in the uplands of Victoria and Sydney. It ran wilder than the bush-fire through the land, and reached the shores of Great Britain as if carried on the wings of the hurricane. The old country was staggered, but only for an instant. 'To the diggings' was the cry, and within twelve months nearly 100,000 adventurers had tempted a voyage of 16,000 miles in quest of the charmed ore. On—on—on—they rush, year after year, in nearly equal numbers, but yet with instinctive discipline, marking their track by the establishment of law and order.

Melbourne, like Jonah's gourd, but happily only in its growth, rises in a night from a village to a city. All the other settlements contribute their industry to the maintenance of the vast ingress of the population; ship after ship pours in the riches of India, America,

and England; and within three years the imports amounted in twelve months to upwards of twenty millions sterling. Such an array of figures made the wildest speculator hold his breath. A crisis of no ordinary magnitude seemed impending, but all sagacity was baffled by the rich treasures of Ballarat, Bendigo, and Mount Alexander, and before six months had passed, the market was relieved, and the marvel remains to this day how, and where, the immense stores of every conceivable produce were consumed. Nor is the wonder over. Nor do we see its limits as long as the auriferous deposits yield their accustomed riches, added to the wealth of the fleeces and copper ore. The population of Australia now exceeds 800,000, and is daily increased with our best blood, while its government is almost a reflex of the British Constitution. Its divisible labour fund is the greatest by far in the history of mankind, its trade is third in importance in the list of our vast commerce, our tonnage to its ports counts by hundreds of thousands, its public revenues are upwards of five millions per annum, while railways of great extent, among others connecting Port Philip with the Murray, a river navigable for 1500 miles from its source, are now in progress at a cost of eight millions, and hydraulic works, worthy of ancient Rome, provide the city of Melbourne with abundance of pure water.

Such is but an imperfect outline of 'Emigration' within a recent period. Its reproductive influence on the mother country is a computation I would hardly dare to venture on. Our colonies are the homes of thousands of our fellow-countrymen, and the goal of countless thousands more. Those who have left us love to linger over the history of their Fatherland, with all its glorious associations of civilization and freedom. Those who seek to follow will leave us, I trust, schooled in those solid virtues which have built up England's greatness; and in both there is an undying wish to link themselves, in thought and interest, with the land of their birth. Such feelings have something far, far beyond a mere sentimental value; they impart a reciprocal attachment which distance can neither enfeeble nor sever, and they are leading to social and commercial results whose culminating point will, I hope, be in a futurity much too distant for any human calculation.

The Results of Emigration. By Nicholas Waterhouse.

THE last twelve years have witnessed a marvellous development in the wealth and resources of this kingdom, and a change for the better in the condition of the bulk of our labouring population, unequalled in our history.

This paper is intended to trace out the workings of one instrument in this movement. Our complicated social system may be compared to a machine, the operations of which we daily see; but whilst we observe the various compensating—sometimes conflicting—influences, which regulate its progress, the great motive power, the spring

which sets every wheel in motion, is hidden from our sight. Amongst these powerful influences may be named the various changes in our commercial code, the extension of our railway system, the discovery of the electric and submarine telegraph, the penny postage, the acceleration of our foreign mails, the extension of steam navigation, the invention of the screw propeller, the discoveries in geographical and physical science, and the spread of education and knowledge. These, no doubt, have each done their appointed work; but it may be proved, that one other power has done more than all the rest, and that, one which has been in operation under our own eyes, which most of us have watched and wondered at, and the chief scene of which has been on the waters of our own noble river.

At the census of 1821 the United Kingdom of Great Britain and Ireland contained a population of 21,193,458 inhabitants, which number in 1831 had increased to 24,306,719, more than three millions, or at the rate of 14·7 per cent. for the whole period of ten years. In 1841 the population amounted to 27,019,558, showing a further increase of 2,711,839, or at the rate of 11·2 per cent. If our population had continued to increase at the same rate, in five years more, in 1846, it would have numbered 28,505,633; in ten years more, in 1851, 30,045,748; and at the close of 1854, at the commencement of the Russian war, it would have numbered about 31,250,000.

As regards the two latter periods these calculations are incorrect, for the census of 1851 only enumerated 27,512,655 inhabitants in the United Kingdom, and it is more probable that that number was diminished than increased before the autumn of 1854.

This sudden diminution in our numbers is chiefly owing to the great emigration which, commencing at the time of the Irish famine of 1846, continued to drain our population for the next eight years, amounting in the first four (1847 to 1850) to 1,086,706; in the last four (1851 to 1854) to 1,358,096—2,444,802. The effect of this great exodus was really more powerful than the numbers indicate, for it was mainly composed of the labouring class, and contained a more than usual proportion of those who were in the prime of life. It diminished not the capital, which was to give employment to labour, but that superabundant labour which sought in vain for employment.

We may therefore conclude that, but for this check to our population, where in 1854 we had seven labouring men employed, we should have had an eighth competing with them, and so reducing their wages.

It would be very easy to show the progress which had been made in these few years in the well-being of the mass of our population. In 1847, the revenue of the United Kingdom amounted to 51,546,264*l.*; in six years, 1853, it had increased to 54,430,344*l.*, yet in that time the net reduction in our taxation amounted to 6,196,602*l.*,* an increase of 17 per cent.

* Taxes remitted	8,653,069
Imposed, taking the Succession Tax at 500,000*l.* . . .	2,456,467
	6,196,602*l.*

That increase took place in Customs, Excise, and Postage, which are paid by the whole body of the people, whilst those which press on the wealthier classes—the Income and Assessed Taxes—especially the former, exhibit hardly any change. In 1847, just after the eight million loan for the Irish famine, our national debt amounted to 790,348,351*l.*; in 1853, it was reduced to 771,335,801*l.* The amount of capital deposited in savings banks at the close of 1847, was 30,207,180*l.* During the next three years there was some decrease, then it commenced steadily to increase, till it reached, in 1854, 33,736,080*l.*

The number of marriages in England and Wales in 1847 was 135,845; from that time, year by year, they continued to increase, till the commencement of the Russian war, amounting in 1853 to 164,520. It is easy to prove that these evidences of prosperity were caused not by any reduction in the cost of food, but by an increased supply of work. An annual census of the number of paupers in England and Wales is now taken on the first day of every year, and we may obtain some very remarkable results by comparing those figures with the cost of grain at the same time.

	Number of Paupers.	Average Price of Wheat per Quarter.	
		Previous Year.	Previous December.
1849	934,419	50*s.* 6*d.*	48*s.* 2*d.*
1850	920,543	44*s.* 3*d.*	39*s.* 3*d.*
1851	860,893	40*s.* 3*d.*	39*s.* 3*d.*
1852	834,424	38*s.* 6*d.*	37*s.* 5*d.*
1853	798,822	40*s.* 9*d.*	43*s.* 3*d.*
1854	818,337	53*s.* 3*d.*	71*s.* 7*d.*
1855	851,369	72*s.* 5*d.*	71*s.* 3*d.*
1856	877,767	74*s.* 8*d.*	80*s.* 1*d.*
1857	843,806	69*s.* 2*d.*	60*s.* 3*d.*
1858	908,186	56*s.* 4*d.*	48*s.* 7*d.*

We here see the extraordinary fact that the pauperism of this country was much greater in 1849, 1850, and 1851, when wheat was cheap (part of the time only 40*s.* a quarter), than in 1855, 1856, and 1857, when it was dear, 70*s.* and 80*s.* a quarter; and with food at a comparatively low price, on the first day of this year there was more want than at any time since 1850. We also see that, in the years 1853 and 1854, when emigration still continued on an extended scale, our labouring population were in a state of extreme prosperity, probably greater than at any other period in recent times.

It is not the price of food which regulates the condition of our poor, but the abundance or scarcity of work. Whilst the condition of our own population at home continued to improve, our exports of British produce increased in as great a proportion. In 1846 they amounted to 57,786,876*l.*; in 1851, 74,448,722*l.*; and in 1853, 98,933,781*l.* Our exports after that year decreased till the conclusion of the war. But how was this great increase caused? Who were our chief customers? Those very emigrants who had left our shores as superfluous labourers.

Exports of British Produce.

	1846.	1853.
Canada	3,308,059*l.*	4,898,544*l.*
United States ...	6,830,460	23,658,427
Australia	1,441,640	14,513,700
	11,580,159	43,070,671
All other Countries	46,206,717	55,863,110
	57,786,876	98,933,781

The increase of our shipments to the countries which received our emigrants was immense during these seven years, namely 271 per cent.; to all other countries quite moderate, only 21 per cent., not more than can easily be accounted for, by the increase of trade from the improved condition of our own people. The exports in 1853 were certainly greater than in any other year; still, in 1854, they amounted to 39,322,597*l.* to these three countries.

But there is another debt to our emigrants, which these figures do not show; for the 329,937 who left our shores that year, took with them large private stores both for the voyage and for their future homes, and gave employment to a very large amount of British shipping.

It would be a nice question to decide what other causes have produced this increase: for instance, whether the opening of our grain trade with North America has not been the moving force in that quarter. Let us see—

UNITED STATES AND CANADA.

	Import of Grain from	Exports of British Produce to	Number of Emigrants.	Total Number of Emigrants since 1843.
	Qrs.	£		
1844	366,596	10,982,304	66,584	66,584
1845	372,032	10,693,453	90,341	156,925
1846	1,474,345	10,138,519	125,678	282,603
1847	4,773,881	14,207,175	251,834	534,437
1848	1,494,217	11,555,568	219,398	753,835
1849	1,998,047	14,251,911	260,817	1,014,652
1850	1,178,615	18,127,012	256,039	1,270,691
1851	1,354,743	18,176,683	309,962	1,580,653
1852	1,526,660	19,633,101	277,134	1,857,787
1853	2,010,841	28,556,971	265,407	2,123,194
1854	2,220,980	27,391,245	236,826	2,360,020
Russian War.				
1855	1,153,183	20,203,417	121,380	2,481,400
1856	3,383,057	26,038,482	118,215	
1857	1,685,686	23,508,576	147,906	

According to this table, there seems to be little or no connexion between the imports of grain and the exports of British manufactures, whilst there is an evident connexion between our exports to North

America and the numbers of that great body of emigrants who have settled in that quarter. In 1847 they both began to increase, and they continued to do so till the commencement of the Russian war. At that time emigration ceased to be the great moving spring in our social system—the demand for labour on the public works of the United States had very much diminished, the population of Ireland had ceased to be superabundant, and the war was leading away from our shores a large number of our labouring men. During the early part of this year emigration has diminished to a very narrow limit, and our shipments to the United States have fallen off in a nearly equal proportion. In the first six months of 1857 we shipped to the United States, 11,591,536*l.*; in 1858, only 5,752,920*l.*

If we look more minutely into the nature of our shipments, we shall find that we must put a further amount to the credit of our emigrants. Commerce is not solely guided by financial laws and regulations, by tariffs and treaties. The inclinations and caprices of individual men have no slight influence over it. People will go to the old shop, and get the old things, though half the world may separate them from their old haunts; and this is one of the reasons of the vast increase of our colonial trade.

There is another reason, wages are much lower in England than the Colonies; it is, therefore, the interest of the colonist to obtain as highly finished an article as possible, one which requires no further outlay of labour, and which is ready for use.

There is a regular gradation in our trade,—Russia, from whom we purchase very large amounts of produce, takes from us in return a very small quantity of our manufactures, but a considerable amount of raw material, of foreign growth, such as cotton and indigo. The Hanse Towns and Holland take from us annually cotton yarn to the value of three and a half or four millions sterling; about half this sum we have to pay to other countries for the raw material. British India takes from us cotton stuffs, chiefly plain and undyed cloths, to the extent of several millions a year. In the first seven months of this year our shipments of cotton stuffs to India had reached the enormous value of 5,247,187*l.* The United States are usually our largest customers for the cotton stuffs, which have gone through a still further process, that of printing—a still larger proportion of the value of which represents the wages of British labour. They also take from us a large amount of apparel and millinery. Lastly, Australia, where labour is still scarcer, comes to us for very large quantities of ready-made clothing (one year as much as 3,600,000*l.*), almost the whole of the value of which represents the return to British labour and capital.

Nor is it in the article of dress alone that our emigrants contribute so much to the employment of British labour. They have conferred as great a benefit on our workers in iron and other metals, the value of which entirely represents the return for British labour and capital. In 1843 our shipments of iron to all parts of the world were only valued at 2,590,833*l.*; in 1846, before the great Irish exodus com-

menced, they had increased to 4,178,026*l.*; and in 1854 to 11,674,675*l.* Of the last amount the United States took 5,117,147*l.*; and the Canadian provinces 1,504,818*l.*—6,621,965*l.* The shipments of hardware, cutlery, machinery, tinplates, coal, &c., have increased in nearly an equal degree. This great increase is mainly owing to the spread of railways over the North American continent. The shipments of bar and railroad iron to North America in 1854 were nearly equal in value (3,972,524*l.*) to our total export of iron to all parts of the world in 1846.

There is no more wonderful story in the annals of trade of these modern times than that of the rapid extension of the American railroad system. The iron road has often preceded the settler. But yesterday on some boundless prairie, where the tracks of the elk and the buffalo may still be seen, and where the echo of the red man's war-whoop has hardly died away, a sharp Yankee engineer has made his appearance,—a line is staked out across the rolling prairie, and gangs of navvies, of Irish navvies, are busily engaged in laying down the iron way. The work proceeds rapidly. They go at it with a will, the thought of some dear relative still lingering in the land of hunger, steels their frames against hardship, and adds fresh strength to their labours.

The road is finished, rudely as we should think, but sufficient to bring the backwoodsman with his ploughs, his harrows, his household goods, and his little ones. A little longer, and an engine, with a very curiously-shaped funnel, is seen running eastward with a long line of cars freighted with the golden harvests of Minnesota and Iowa.

Without the large amount of labour furnished to the United States and Canada by the 2,076,317 immigrants who have entered North America during these eight eventful years, 1846 to 1854, those railways must have been delayed for some time longer. And thus, what at the first glance may seem very paradoxical, is nevertheless very true—that the destruction of the necessaries of life in one part of the kingdom has in part been the cause of the prosperity of another. The loss of the potato plant in Ireland has stimulated the labours and increased the wages of the coal-hewers and furnace-men of Stafford and Glamorgan.

But there is another feature in the emigration to the United States which an Englishman should not pass unnoticed. The first act of the Irish emigrant, when he finds himself safely settled on a foreign shore, is to bring over those dear to him to share the same comforts as himself—to bring them from the land of sorrow to the land of plenty—to repay some half-forgotten act of kindness—to add a little to the widow's store—to keep the fire lit and the pot boiling in some lone cabin in his native land. The amount of emigrant remittances is immense, yet the Commissioners state that their returns are incomplete, and from my own knowledge I can testify that such is the case.

In 1848, the amount returned was	460,000*l.*
1849	540,000
1850	957,000
1851	990,000
1852	1,404,000
1853	1,439,000
1854	1,730,000
1855	873,000
1856	951,000
1857 when many American houses stopped payment	593,000
	9,937,000*l.*

In ten years nearly 10,000,000*l.*, in one year more than 1,700,000*l.*, an amount more than sufficient to cover the cost of emigration, which in fact is paid for out of the capital of the country which receives it, not out of the capital of that from which it proceeds: 10,000,000*l.* is a large sum—a very large sum—one can hardly find any amount of the same nature with which to compare it. For several years it exceeded the rental of Liverpool,* or of any other town in the kingdom, except the metropolis.

In the autumn of 1854, when all England was roused by the tidings of our great victories in the Crimea, when the feeling of sorrow for those that had fallen enlisted the sympathies of the whole nation, a fund was established to relieve the sufferers' wants, under royal, noble and official patronage—a fund to which all gave liberally, our rich metropolis gave liberally, according to its wealth; and remote places—the Scilly Islands,† for instance, gave very liberally according to their poverty; while every one of that great band of colonies which girdles round the globe sent its quota, not excepting those tiny English settlements at the Seychelles, Labuan, and Vancouver's Island. Yet, according to the accounts published up to the 30th June, 1857, the Patriotic Fund, in nearly three years after this mighty effort, only amounted to 1,446,975*l.*

Sixteen years ago the whole Scottish nation was aroused by a decision which most of them believed to be fatal to the rights of their ancient and beloved church. An agitation commenced, which was not confined to Scotland alone, it spread wherever a Scotchman was to be found—it might be in the log-cabins of the backwoods of Canada—it might be by the lonely herdsman's fire in the Australian bush. Then we saw the most wonderful example of religious zeal of the present time—a great part of a nation wrenching asunder old ties and associations which had bound them from earliest infancy, and giving up every worldly advantage for what they believed a righteous cause. Yet the total sum which this body, animated by activity and possessed of much wealth, collected for the erection of their material church,

* In 1842, 1,092,000*l.*

† Scilly Islands contributed 250*l.*; England, 886,000*l.*; Ireland, 60,000*l.*; Scotland, 149,000*l.*; Australia, 147,000*l.*, other countries 162,000*l.*

during the three years after the disruption, was only 1,002,270*l.* These sums are not to be compared with the annual remittances of the Irish emigrants.

If we look back through the pages of American history from the present to the day when the 'Mayflower' first sighted that wild New England shore, we shall find no more magnificent spectacle than this —the work not of the great, the rich, or the mighty, but of those who were poor, and needy, and destitute of all things save true hearts and strong hands.

The transfer of so large an amount of American capital must have had some effect on commerce. In 1854 the sum thus remitted must have been equal to an eighth of the cost of the cotton purchased in the United States for English consumption. Thus the emigrant agent has taken the large sums he has received to purchase drafts from the exchange house, and the exchange dealer has brought document bills from the Southern cotton buyer, giving him, of course, a somewhat higher rate than he would have done if there had not been these remittances to invest.

It was in the year 1851, when the emigration to the United States had reached its greatest height, and when acute observers were beginning to foretell that the diminished population could not much longer support this constant drain, that the tidings first reached us that gold in quantity exceeding that of California had been discovered in our colonies of Australia. This intelligence immediately produced its effect. In 1852, the number of emigrants to Australia was four times as great as in the previous year, and ever since a stream has continued to flow, of those who sought an El Dorado in the East.

During the last six years (1852 to 1857), 390,660 have gone there from British ports. Though the effect of the migration to North America may have been much greater in the aggregate, that to Australia has, for several reasons, produced a more striking result. The one proceeded from a country teeming with inhabitants, the other from a country whose population had been already thinned. The one required but a small outlay, the other a much larger one, not only from the higher rate of passage money, but also from the increased amount required for outfit and necessary stores. A voyage of 13,000 miles is very different from one of 3000—it occupies a much longer time, and, therefore, the same number of emigrants would give employment to a much larger amount of tonnage. This was the reason why wages rose so suddenly in our ship-yards in Liverpool, why men were not to be found to execute the necessary work. In the days to come, ancient shipwrights over their cups will tell a tale of the good old time when the Mersey was so crowded with ships bound for the golden shores of Australia, that riggers and carpenters were able to earn their guinea a day, and men enough were not to be had on those or any terms. This long voyage has had one effect,—it has induced our shipowners to spend large sums in building a fleet of clippers, which

for speed and beauty stand unrivalled—vessels which in our recent time of trial have done good service to the public cause by acting as transports for our troops.

The cost necessary for a passage and outfit to Australia has rendered the great mass of those who have gone thither a much more select body than has ever before left our shores—having in its ranks a very large proportion of men of some mechanical or professional skill. Small farmers unable any longer to bear the pressure of foreign competition and English capital, handicraftsmen from our quiet country towns, shepherds and herdsmen driven by famine and long arrears of rent from the barren hills of Skye and of the Scottish mainland, steady serving men wishing to carry themselves and their earnings to some more promising field, miners from Cornwall with their shrewdness and practical skill, such were the most important elements in this great army. Nor were there wanting those of a higher class, men from our universities, seeing small prospect of professional success at home, and bent on seeking their fortunes in a new world, younger sons of Scottish lairds and English squires carrying household names to those far-off lands.

Perhaps it may appear to be a quibble to attribute the impetus which has been given to the mother country by our Australian colonies, rather to the number of emigrants whom it has sent there than to the fact that it has received a great store of gold, and has heaped up immense sums in the coffers of the Bank. The discovery of gold suddenly increased the value of a certain description of labour, and therefore increased the number of those engaged in that kind of labour. The population of the gold-fields of Victoria in 1852 amounted to 35,000 souls, in 1853, to 73,000; in 1854, to 100,000; in 1855, to 145,800. If an equal remuneration had rewarded these men in any other kind of labour, would not the effect on commerce have been nearly as great? Perhaps not quite as great because in every other kind of labour they must to some extent have been competitors with those engaged in the same manner. Whilst the fact, that so many men have been removed from other trades to dig for gold, has made them customers, where previously they were competitors, and therefore has had the effect of increasing the rate of wages in those trades. The mere fact of the increase in the quantity of gold has not so lasting an effect as we might expect, for that gold, as we found to our sorrow last October, speedily becomes absorbed by the demands of commerce, and diffused over the earth. The increased demand for labour forms the main part of this question. This is really a more important consideration than it seems at first, for the amount of gold produced has fluctuated; it may fall off considerably.

In 1852 the export of gold from Victoria was	14,866,799*l.*
1853	11,588,782
1854	8,770,796
1855	10,302,980

If other kinds of profitable employment are afforded to our emigrants,

these colonies may still continue to increase in value to themselves and to their mother country, whether the produce of gold falls off or not. It is not the least hopeful sign for the future of this trade, that the estimated real value of our imports from Australia, exclusive of gold, has been increasing for some years.

In 1854 it amounted to	4,301,868*l.*
1855	4,500,200
1856	5,736,043

The chief Australian staple, sheep's wool, has continued to increase in quantity year by year, from 1841 to 1856 (last year there was some falling off.)

In 1841 the import from Australia was ...	12,399,362lbs.
1846	21,789,346
1851	41,810,117
1853	47,076,010
1855	49,142,306
1856	52,052,139

After the discovery of gold, the most striking fact connected with our Australian colonies is the vast increase in our exports of British produce.

In 1844 they were only valued at ... ... (the amount in previous years was larger)	785,441*l.*
1847	1,644,170
1851	2,807,356
1852	4,222,205
1853	14,513,700
1854	11,931,352
1855	6,278,966
1856	9,912,575
1857	11,626,146

A trade which some years ago was quite insignificant, suddenly increased, so that in 1853 it engrossed a full seventh of the whole amount of our exports. Though the amount has somewhat fallen off, it still continues enormous when we consider that the population did not, according to the last returns, number 1,000,000 souls.

People look with interest at the young heir, and conjecture how he will spend his money. A young couple are certain to have all the minutiæ of their establishment criticised. Half the world look with unmingled wonder at that great train of boxes and bags which 'Milorde Inglese' thinks it necessary to drag along with him. But a young colony suddenly arrived at maturity, what does it require? How will it spend its newly-gotten wealth? It is not often that we have an opportunity of gratifying our curiosity; but in this case, thanks to the Board of Trade, we have obtained a sight of all the bills, and are therefore able to enumerate all her wants and her requirements.

First and foremost we must place the article of dress; in 1853 we exported to Australia apparel to the value of 3,623,908*l.*; in 1854, 2,410,664*l.* These amounts are larger than the value of our

export of manufactured stuffs.* Labour is dear; the more labour is bestowed on any article in the old country the cheaper it will be for the colonist. It is not the Manchester manufacturer who has come in contact with this large trade so much as the warehouseman and shopkeeper of Aldermanbury and St. Paul's Churchyard. In these large figures there is hope for the poor and needy, for the distressed needlewoman and the jobbing tailor. Nor are they the only class who are largely benefited. The shoemaker's skill is put largely to account; in 1853 we exported manufactures of leather to the value of 851,560*l.*; in 1854, 637,356*l.*; in 1856, 897,689. We sent them coverings for their heads as well as their feet. Hats to the value of more than 150,000*l.* We assisted them in their internal traffic; in 1853 we sent them saddlery and harness to the value of 194,104*l.*, and carts and waggons (1854) worth 28,501*l.*; in 1854 we shipped them iron to the value of 812,068*l.*, which includes a large amount for iron houses; cutlery and hardware to the extent of 584,540*l.*, besides steam-engines worth 110,006*l.*, and other machinery, quartz-crushing machines, &c., worth 157,556*l.*

Luxuries were in quite as great demand as the necessaries of life. We sent them jewellery and watches in 1853 to the value of 311,317*l.*, and in 1854 of 166,332*l.* We sent them (1854) musical instruments worth 76,724*l.*, and carriages worth 82,133*l.* We built them wooden houses to the value of 83,032*l.*, and sent them furniture to the value of 192,870*l.* Nor were soap and candles forgotten; in 1856 our export of those commodities amounted to nearly 300,000*l.* We sent them furniture not only for their houses, but also for their minds, namely, 153,476*l.* worth of books. Macaulay and Livingstone find their way into the bush, and many an eye eagerly seeks for home scenes in the pages of the *Illustrated News.*

The papermakers of England were called upon to supply our correspondents at the antipodes with stationery to the value of 427,650*l.* in 1853, and of 320,165*l.* in 1854*l.* With our large population at home, we have not much surplus to spare from the produce of our own fields. Of that surplus, the larger part is claimed by our Australian colonists. They will eat English bacon and hams, and butter and cheese. The largest export seems to have been in 1856, when we sent them cheese to the value of 124,429*l.*; butter, 374,002*l.*; bacon and hams, 170,648*l.*—669,079*l.* We assisted them in the cultivation of their own soil, by sending them in 1854 agricultural implements to the value of 68,000*l.*

In 1850 the brewers of Burton thought themselves fortunate because the export of beer from Great Britain to all parts of the world had reached the unprecedented amount of 182,480 barrels,

* Cotton Stuffs in 1853	1,032,303*l.*
Woollen	1,355,755
Silk	438,430
Linen	312,215
	3,138,703*l.*

valued at 558,794*l.* Three years afterwards the export to Australia alone exceeded that amount, being 206,348 barrels, value 635,870*l.* The export of all kinds of spirituous and fermented liquors to the colony is enormous. In 1853 we sent to Australia, besides other kinds of wines and spirits to a large amount, 1,876,438 gallons of brandy, a quantity exceeding the total amount entered for home consumption in the British Isles that year. In 1856, the beer, wine, and spirits exported to Victoria were valued at a million and a quarter (1,249,973*l.*). Besides these immense amounts, our colonies receive further supplies from the United States, or direct from the wine countries. These figures inform us of the wealth and not of the sobriety of our gold fields. No wonder that there is an active demand for glass bottles, and that our export under that head was valued at 115,603*l.* in 1854; whilst 151,949*l.* is the value of the tobacco and cigars which we provided for our fortunate diggers in 1854.

But much the most extraordinary item in this account is the immense value of pickles and sauces sent out for the inhabitants of those golden regions, 273,317*l.* in 1854. Report used to tell of hard doings in the bush, only beef and damper, with the alternative of damper and beef; now times must be changed. If Mr. Horace Mann's estimates are correct, a sum which in England would have been sufficient to build 130 churches or 500 schools, has been spent by our prosperous emigrants in oilmen's stores.

No wonder that these poisonous viands are succeeded by an amount very unhomœopathic in appearance, of 134,582*l.* for apothecary wares.

Then comes another little sum, 80,347*l.*, for confectionary, sweetmeats, and bon-bons for the diggers at Bendigo and Ballarat.

These are some of the principal items of this great invoice for Australia. They serve to show how our emigrants have divided their gains with the country they have left, and how they have given an impetus to *every* branch of our trade, both great and small.

The colonial returns show even more strongly the wealth of our fellow-countrymen at the antipodes. In 1857, the value of foreign and colonial produce which was imported into the United Kingdom and *retained for consumption* was estimated at 160,400,000*l.*, an amount without precedent, being nearly 6*l.* a-head for each inhabitant of the British Isles; in 1854, Victoria, the queen of our colonies, received imports from all parts of the world to the value of 17,659,000*l.*, which, every deduction having been taken into account, must have been at the rate of 60*l.* for every inhabitant on the last day of that year.

The progress of our Australian colonies has been most wonderful and rapid, yet there is reason to believe that it has been a sound progress.

During the last three months of last year, months never to be forgotten in Liverpool, when we failed in our attempt to urge on our trade beyond the limits of our capital, when our whole commercial fabric seemed crumbling to pieces, when our exports to foreign

countries, which in the previous quarter had amounted to 25,600,000*l.*, suddenly fell to 17,308,000*l.*, our shipments to Australia exhibited a slight increase.*

The emigration to Australia has not only had a direct influence on our commerce, it has also affected it in an indirect manner. One example of this is to be seen in the island of Mauritius, which entirely depends on the production of one article, sugar. It is in fact one great sugar manufactory, depending on other lands for its supplies of food; on India for the rice for its coolie labourers, and for the bullocks, for its European inhabitants, on Madagascar and the Cape. If any part of the world appeared to be in a state of utter ruin in 1847, it was this island. Ten years have elapsed. Now, how entirely changed is the picture. More than 100,000 Indian immigrants have brought cheap labour to her sugar-fields, nearly doubling the produce of the island. English labourers, with wages increased by emigration, are now able to consume larger quantities of her staple produce, whilst our emigrants in Australia have suddenly become large buyers in her markets.

	Sugar.
In the year 1846 to 1847 they took from her... ...	3,800,000lbs.
1855 to 1856	28,885,000
1856 to 1857	37,689,000

Thus our emigrants are largely contributing to her prosperity, whilst Mauritius repays the mother country by purchasing much larger quantities of her produce.

Shipments of British Produce to Mauritius.

In 1846	...	310,231*l.*	1856	...	420,180*l.*
1847	...	223,563	1857	...	664,221
1848	...	169,308			

The first six months of this year exhibit a still further increase.

In writing on emigration in 1858, one cannot but regard it in a great measure as a thing of the past—so much has its force and extent diminished. The same All-ruling hand which set this mighty machine in motion, has placed it under a controlling influence—has provided it, as it were, with a self-acting break. The dangers of a long sea voyage, the hardships and discomforts by the way, the indecencies of living in a crowd of some hundred human beings in the 'tween-decks of an emigrant ship, and the doubts as to an unknown future,—these will always prove an insuperable obstacle to the great bulk of our industrious and self-respecting poor.

There are some who extol the advantages of emigration so much that they would forcibly expatriate those whom they regard as the superfluous members of our labouring classes. Surely this view is incorrect; emigration—the departure from an old home for one unknown—the commencement of an untried career, is, of all human undertakings, the one which most requires a free will and a brave heart. The movement has been a voluntary one. Our Government has, indeed, stepped forward to see that the emigrant ship was staunch

* The same may be said of several of our colonies.

and strong—that she was provided with ample stores for the voyage —that the emigrant's health was watched over—that he was protected from thieves by the way—that facilities for obtaining work were afforded to the labouring man, and in some cases, that facilities were afforded to the man of capital for purchasing a real stake in the land of his adoption, and what more can any Government do?

In narrating the wonderful things which emigration has done, let us, before all things, acknowledge the mighty superintending hand of God, that His judgments are unsearchable and His ways past finding out. Whilst man was labouring in a hundred boastful ways to work out his own greatness, a blight suddenly appeared upon our fields; by an agency almost too minute to be observed, our crops were blasted and destroyed. The loss of crops, the famine, the dire 'hunger,' the pestilence—these were God's instruments for relieving the poorest parts of our country. When first we saw that numerous people, pursued by famine and disease, flying their native shores, we could not tell to what these things would tend. The woe that is past, the strife with misery, the dangers by the way, the present prosperity, the prosperity which has been repaid to the mother-country—this wonderful chain of events we can only attribute to the hand of an Almighty and All-wise Creator, who rules the destiny and sways the course of nations as well as of individual men.

It may have been His means for strengthening and preparing us for that great Continental struggle from which we have so recently emerged. Whilst France and Russia showed evident proofs of weakness and exhaustion, we alone, at the close of the war, seemed to possess boundless resources and countless stores of material wealth.

Nor is this view connected with any fatalist tendency; on the contrary, we may see in this great example of the mighty things which have been done by the God-directed efforts of the poor and of the lowly, by that mightiest agent in His hands—the free-will workings of individual men—the strongest argument against that idle feeling which would throw all responsibility on the shoulders of some irresistible power, instead of each one labouring in his own sphere with all his might.

One word more and this paper is ended. It was recently said by one of the most powerful writers* of the day, in speaking of the evils of the nation, that 'he could see no other hope of escape except by an emigration, which should drain us of all the healthy, strong, and brave, and leave us, as a just punishment for our sins, only the cripple, the drunkard, and the beggar.' If this supposition is correct, then woe for those of us who remain at home. But the facts which have been brought forward are sufficient to prove that such a calamity is impossible. Emigration may be rather said to verify John Bunyan's homely riddle :—

> A man there was, by some accounted mad,
> The more he cast away, the more he had.

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* Rev. C. Kingsley's Lectures to Ladies.

The Principles of 'Associated Labour' reduced to Practice. By Henry Smith, Manager to the 'Liverpool Working Tailors' Industrial Association.'

Some seven or eight years ago a series of letters appeared in the *Morning Chronicle* on 'the Condition of the Labouring Classes,' which created a great sensation. These letters laid bare the helpless condition of the journeymen tailors in most of our large towns, including Liverpool, from the introduction of what is known as the 'Show' or 'Slop Shop' system. These shops, besides reducing the wages of the workmen from 50 to 80 per cent., compelled them to do their work at home. Dr. Charles Mackay, in a letter to the Secretary of the Liverpool Tailors' Institute, says—'The system, as far as I have been enabled to investigate its working, seems to me the cause of the destruction of trade morality, the deterioration of articles of manufacture, the bankruptcy of fair dealing tradesmen who are willing to pay a 'fair day's wages for a fair day's work;' and, last and greatest, the pauperism, disease, vice, crime, and premature death of thousands of men, whose dearest wish it is to be enabled to support their families by the produce of their industry.' In consequence of the publication of the facts, and the discussions which consequently arose upon the subject, it occurred to a few of the more intelligent portion of the trade, that something ought to be done to remedy the existing state of things. Large meetings of the trade were called, discussions ensued, and a determination come to that something better than the ordinary trade efforts, under the old system of strikes, should be adopted.

In the first place, we determined to form an institute, embracing the ordinary trade organization, with the addition of a news-room, cutting-school, and conveniences for men out of employment—apart from the public-house—that there might be greater inducements for sobriety. We, therefore, took premises and established an institute. After some time, finding our efforts appreciated by the better part of the trade, we thought something else might be done to enable the working tailor to overthrow a system which was reducing him to the level of a pauper.

Mr. J. S. Mill, in his evidence before a committee of the House of Commons, has said—'There is no way in which the working-classes can make so beneficial a use of their savings, both to themselves and to society, as by the formation of associations to carry on the business with which they are acquainted, and in which they are themselves engaged as working people.' Accordingly, we determined on giving the principles of associated labour a fair trial. We therefore added another branch to the institute, under the designation of 'The Working Tailors' Association.' Journeymen tailors were invited to become shareholders; the shares were ten shillings each, paid by weekly instalments of sixpence each share. In the first week in November,

1850, we commenced business on a capital of 5*l.* In the beginning of 1851 we issued an address to the public, told them we were a body of working-men united together on the principles of association, with the view of improving our moral and social condition, and trusted to have their sympathy and support. We persevered until the end of the first half year, when a meeting of the members took place, and the accounts and business were laid before them in a statement by the manager. Satisfied with our success, we proceeded in the same course until the end of the year. At that period the accounts stood as follows:—The amount of business done in the fourteen months was 259*l.* 4*s.* 4½*d.*, the wages paid 118*l.* 13*s.* 4*d.*

Finding our business was becoming of some importance to us, we set about forming rules for our guidance in accordance with our past experience. Mr. Slaney having introduced a Bill into the House of Commons to legalize industrial associations, we petitioned the House in its favour, in order that we might have the protection of the law in behalf of our association, having found it objectionable to place our business, increasing as it did, entirely in the hands of one individual; and the manager not feeling himself satisfied to go on any longer with the entire responsibilities of the association on his shoulders. The Bill became law during that session.

At the close of the year 1852 we found we had made good progress, our business standing thus:—Business, 567*l.* 4*s.* 1*d.*; wages paid, 222*l.* 15*s.* 11½*d.*

Several gentlemen having formed themselves into a society for the promotion of working-men's associations, had drawn up a code of model rules under the Act above alluded to. These rules, with such alterations as circumstances required, we adopted, and were enrolled under the Act 15 and 16 Vic., c. 31. In order to be enrolled under this Act, it was necessary to break up our society. To do this we found rather a difficult task, inasmuch as we had accumulated a considerable amount of property, which we considered as belonging to those members who had risked their savings in the hope of success. We took the stock and property at its fair valuation, and there was the sum of 58*l.* 7*s.* 8*d.* remaining after paying all up. This sum we divided into shares, and placed a fair proportion to each member's credit, which we denominated a credit dividend. We unanimously agreed that this amount should not be withdrawn before the expiration of two years; by this step we secured the safe existence of our enrolled society, by keeping together the old members and their capital. At the expiration of that time the members entitled to the credit dividend did not withdraw the amount, but made it up into shares; and finding our business increasing, and requiring more capital, we raised the price of shares to 1*l.* At the close of 1853 we had done business to the amount of 1069*l.* 11*s.* 8*d.*, and paid in wages 451*l.* 7*s.* 1½*d.* During this year the amount of business transacted was nearly twice that of 1852. This we attributed, in a great measure, to increased public confidence caused by our enrolment.

At the close of 1854, prosperity still attended our business, and we showed a return of 1548*l.* 19*s.* 10½*d.* for business done, and 667*l.* 12*s.* 3½*d.* as the amount paid for wages.

At the end of 1855 we found our business still on the increase, much steadier, and more safe. On referring to the annual balance sheets we find business 1606*l.* 19*s.* 3½*d.*, and wages 695*l.* 6*s.* 2½*d.*

At the annual meeting of 1856, the declared business was 2237*l.* 1*s.* 10*d.*, and wages paid 740*l.* 15*s.* 10*d.* In consequence of the great increase in business during the two preceding years, the manager strongly urged upon the members to capitalise their dividends, as the paid-up capital was not sufficient to carry on effectively an increasing business—or else to extend the number of shares to be allowed to any member (the rule at this period did not allow any individual to hold more than ten, and several members had paid up the full amount.) Unfortunately they did not give these propositions that serious consideration they were entitled to.

We now come to the close of 1857, and find business to the amount of 2134*l.* 6*s.* 3*d.*; and wages paid 527*l.* 1*s.* The deficiency in the amount of business, as compared with 1856, we attribute to the great depression in trade and the money panic—as our falling off appears to have taken place during the last quarter of 1857. The past year's experience having convinced the members of the soundness of the manager's advice respecting the increase of shares, they passed a resolution fixing the allowed number at fifteen each.

We have thus a total of business in the seven years from November, 1850, to December, 1857, of 9549*l.* 7*s.* 4½*d.*; wages paid in the same period, 3433*l.* 11*s.* 9*d.*; [Had this work, for which the foregoing wages were paid, been done on account of the 'Show Shops,' the workmen would have received about 35 per cent. less—that is to say, upwards of 1000*l.*] Besides out of our business transactions we have paid the sum of 197*l.* 16*s.* 9½*d.* in dividends and interest; we have also set apart, in accordance with the provisions of the Act, 197*l.* 16*s.* 9½*d.*—a fund intended as an annuity or other endowment for aged and infirm members, their widows or children; there has been withdrawn by members whose circumstances compelled them to retire, 116*l.* 19*s.* 4*d.*; the paid-up capital amounts to 239*l.* 4*s.* 10*d.*; the number of members, 58; number of shares taken, 239.

We also founded in 1851, in connexion with the Institute, a Sick and Burial Society, enrolled under the Friendly Society Act, there being a great desire on the part of several members for an institution of this nature, and on its formation an opportunity was given to every member (irrespective of age) to enrol himself. It is a prosperous society. The number of members amounts to near 100. We have paid for sickness several hundreds of pounds, and for funerals of members and members' wives, a considerable sum. The present fund amounts to 80*l.* or 90*l.*

We attribute our success in working the association and sick society to the fact of their being enrolled, added to the unity of action and good feeling which has hitherto prevailed. The Institute

being an ordinary trade organization, and not having the security of the law, has not accomplished those objects which were intended by its establishment.

In further illustration of the principle of associated labour, and to show the interest which the more intelligent portion of the trade felt in our experiment, we may state that communications were received from various places, requesting the manager to visit them, and explain the principle of action. In 1856 he went to Hull, delivered an address, and assisted at the formation of an association. In July last the Hull manager reports to us as follows :—'We have received an amount of support from the public, which has greatly exceeded our most sanguine expectations. With a working capital of 51*l.*, we have in sixteen months done a business of 660*l.* 18*s.* 3*d.*, and paid in wages 258*l.* 2*s.* 5½*d.* We wish particularly to call attention to the item of wages. Taking into consideration the rates paid for work by the Association, and what would have been received for the same, if executed at other establishments (with about four honourable exceptions), we find in this item alone a positive gain to the workman of nearly 70*l.*' He further adds :—'There are in Hull about 600 journeymen tailors, yet, strange to say, we have only twenty-nine shareholders, although the Association is open to every man of good moral character. But as a set-off to this, we have initiated a co-operative provision store, with 300 shareholders, which is going on prosperously.'

Though the present attempts at association are on a small scale, nevertheless the principle has been fully and fairly put in practice, and shows what can be done by the working classes for the bettering of their social position by a well-developed system of organized labour.

The Liverpool Co-operative Provident Association.
By John Wilson

To the European Revolution of 1848, the agitation of the minds of men upon the distribution of wealth and other questions of social economy, and also the success of co-operative societies in different parts of England, is to be traced the origin of the Liverpool Co-operative Provident Association.

In January, 1851, fellow-shopmates, who had often talked together upon the condition, and discussed means for aiding the advancement of their class, and were convinced that much of the evil from which working-men and their families suffered was self-imposed, and to be attributed either to ignorance or vice, resolved to form an association, whose objects should be the formation of habits of prudence and economy, and the distribution of unadulterated food and clothing. The objects sought to be accomplished are expressed thus in the original rules of the Society.

'And the objects thereof shall be to form arrangements for the

pecuniary benefit, and improvement of the social and domestic condition of its members, by raising a sufficient amount of capital to establish a store for the sale of provisions, clothing, &c., to the members only.'

At the commencement of the business in which they were about to embark they were ignorant of the quality of the articles they proposed to purchase; they had simply the average knowledge of the consumer. They were not so extravagant as to expect to secure articles quite unexceptionable, but they hoped in some measure at least to counterbalance this want of knowledge by dealing only with houses of established reputation, by paying ready money for all purchases, and not pretending to a knowledge in which they were deficient, but reposing some confidence in the merchant or manufacturer to supply such articles as were in constant requisition by working-men and their families. They resolved, and their successors have never deviated from the resolve, not to make cheapness or lowness of price, but quality, the primary consideration.

It was determined to raise an unlimited amount of capital, in shares of one pound each, of which each person becoming a member was required to take not less than five, nor permitted to hold more than 100.* The amount so taken was to be paid by a weekly subscription of not less than threepence for every five shares. To meet the circumstances of many likely to become members, provision was made in case of inability from sickness or want of employment to pay the weekly contribution.

The capital of the Society has steadily augmented. At the end of December, 1851, the amount of capital was 60*l.* 9*s.* 9*d.*; at the close of 1857 it was 1591*l.* 18*s.* The following statement will show in what amount the capital is held; 391 members hold 5*l.* and under; 80, 10*l.*; 20, 15*l.*; 3, 20*l.*; 1, 25*l.*; 1, 30*l.*; 1, 55*l.*; 1, 70*l.* Until recently the Society was used by some as an investment for small sums. This useful function has, however, been destroyed by the Registrar of Friendly Societies insisting upon the insertion of a rule providing for a weekly payment by each member towards the expense of the management of the Society. This has been fixed at one penny per week, and, though small, is sufficiently large to deter those who could save by small weekly payments a pound or two in the course of the year. The payment of the penny per week would more than equal the interest upon four pounds.

The want of investments for small sums renders the destruction of this useful function of the Society all the more to be lamented.

In the course of three months the three original members were increased to twelve, and the increase has been steady. This result has been attained without the aid of public meetings, and until lately, without any printed announcement. The number of members at the end of 1851 was 34; at the end of 1857 it was 475.

The first purchase effected was a small quantity of soap and candles, which they were kindly permitted to store in a cupboard in Mr.

* Originally 50 was the extreme number.

Robert's Temperance Hotel. On a certain evening they met, and each took the quantity he required, paying the average shop-price for his portion. As capital increased, the purchases were extended to other articles, until the cupboard became too small, and the same kind friend then placed at the disposal of the Society a small room in his house. This was, however, soon outgrown, and the Society, after much deliberation, migrated from its first home in Button-street to a cellar in Wolstenholm-square. Here difficulties were soon experienced from damp and want of room, and another change was speedily made to a house in Wood-street, Bold-street, the Society receiving rent for the part of the house not required. Notwithstanding these changes, and the unfavourable circumstances for growth, the Society continued to increase until the house last-named became altogether inadequate to the wants of the Society. The next change made marks an epoch in the Society's existence. It was found that a house with apartments sufficiently large, and in a central position, could not be had except upon the payment of a much higher rental than had hitherto been paid. After much inquiry and deliberation, it was at length resolved to purchase the house 15, Camden-street, now used as the central place of business. The interest upon the purchase-money at five per cent. per annum, together with the interest paid to the members upon their paid-up capital, was very much less than the rent at which the house could have been occupied by us as yearly tenants.

From the beginning up to November, 1857, the time for distributing the goods was confined to the evenings. This was a necessity; the Society in its infancy could not afford, and, indeed, did not require, a place of business open in the day-time. Out of the members some were chosen to act as shopmen, and to fill other necessary offices, and were each paid so much per member for the quarter. This arrangement succeeded admirably while the number of members was limited; but when the Society had increased to 500 families, it was found that the old mode of supply was no longer practicable. Three evenings were already devoted to the work of distribution, and the other evenings of the week were so occupied in weighing and preparing goods, that the time for distribution could not be extended. The number desirous to unite themselves to the Society at this time was so great (about twenty per week), that the committee were necessitated to pass a resolution refusing to admit any more members for a time.

The expense of a staff of officers and an open place of business in the daytime were no longer the formidable obstacles they had been. So large an amount was now paid to the great number of officers required, that it was thought the increase of expense would be but a small consideration. It was finally unanimously resolved to appoint a staff of officers, and to throw open the store during the day. Since this has been done, the Society has continued steadily to increase. This consideration, and the extent of the town, in the extreme part of which many of the members lived, and others who were desirous to become members, but who were deterred by the distance, led to the opening

of two branch establishments, one at the north end and the other at the south end of the town. These branch establishments are supplied with goods, as far as is practicable, prepared for delivery, from the central store. The north branch is open on Saturday evenings, and the south on Friday and Saturday evenings. The distribution at the branch establishments is effected by duly appointed members.

It was believed that the small economies of life were frequently neglected, and that to this much evil was traceable. It was also believed that there was a great want of economy in the ordinary methods of distribution—that shops were more large and costly than their business required, and that customers or creditors had to pay for this unnecessary accommodation, as also for the gilding and the plate-glass, and, not unfrequently, the unemployed ornamental shopmen. The Society has from the first avoided all useless expenditure and display. Certain hours—and those so limited as to meet the requirements of the Early Closing Association—are fixed for the transaction of business. The great thoroughfares have been avoided, and no goods have been damaged or destroyed by exposure.

It is not doubted that active membership contributes in no inconsiderable degree to the improvement of the members in habits of prudence and economy. Patience and forbearance are required and fostered. The necessity of rule and submission is felt. The disposition to make present sacrifices to ensure a greater good in the future is encouraged, and numbers are now capitalists; that is, proprietors of from one to a hundred pounds, who, in all probability, would not have been so had it not been for the existence of this society. So far from selfishness, as was feared by some, having become intensified under the influence of the Society, the sympathies of the members have been deepened—an affectionate interest has not unfrequently manifested itself towards a member in trouble, and the original purpose of the Society—the improvement of the lot of those who toil—has ever been kept in view.

The steady growth of the Society proves in some measure that it has met the wants it proposed to supply. The amount of business done in the year ending 1851 was 320*l.*, which had increased to 7000*l.* by the close of 1857; the business for seven years amounting to 17,115*l.* Articles of food and clothing have been secured to the members of a better quality than could have been obtained at the average retail shop. Weight and measurement have also been secured, together with protection of the ignorant in their purchases, especially of articles of wearing apparel. These advantages have been obtained at a payment for each article of not more than the average shop-price.

After defraying the cost of management, and paying five per cent. per annum to the members upon their accumulated capital, a sum has always been left in hand to be divided amongst the members in proportion to the extent of their purchases. The average profit so divided has been about 1*s.* 4*d.* in the pound.

It is almost needless to say that numbers cease from membership, but it is satisfactory to be able to state that those who leave are

almost invariably new members, whose knowledge of the Society is limited, and who have not had patience to wait and learn. Three hundred have been members more than two years.

Those who established the Society are still its warm supporters. Of the first twelve, eight are still members; one is dead, one removed from the town, one ceased from membership, and the remaining one is now the manager of the Society.

CONDITION OF THE WORKING CLASSES.

The Dwellings of the Labouring Classes, their Improvement through the Operation of Government Measures, by those of Public Bodies and Benevolent Associations, as well as by Individual efforts. By HENRY ROBERTS, F.S.A., formerly Honorary Architect, and a Member of the Committee of the Society for Improving the Condition of the Labouring Classes, London.

AMONG the various departments of Social Science which have of late much occupied public attention, next in importance to that of popular education, may be ranked the Improvement of the Dwellings of the Labouring Classes. Indeed such, in many places, is the counteracting influence* exercised by the homes of those whom we seek by education to raise from a state of ignorance and moral degradation, that some ameliorative measures, in regard to their dwellings, are a prerequisite, indispensable to the complete success of the best devised schemes of general instruction. For to what evil prevalent peculiarly among the poor, does not the wretchedness of many of their houses most largely contribute? Drunkenness, domestic feuds, and vice in its most appalling forms,† as well as lingering sickness, and premature death, are the natural results of a condition which it is alike the imperative duty and the interest of Government, of associated bodies, and of individuals to strive to remedy as speedily as possible.

Important measures, for some time in operation, have brought to light circumstances, and have led to results which justify, as well as

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* This bearing of the question was the special subject of a paper by the Rev. Canon Girdlestone, read at the Educational Conference held in London in 1857, under the Presidence of his Royal Highness the Prince Consort.

† Language too strong cannot be applied to an evil which leads to such crimes as are, alas! not unfrequently the subjects of investigation in our Police Courts. Within the past few weeks, both at Liverpool and at Bristol, the charge of incest traceable to this cause was substantiated, with the addition of rape in one instance, and murder in the other. Whilst on a more extended scale, the recent return of the Registrar-General for Scotland, as to the great amount of illegitimacy in certain districts, is justly described in a Scottish provincial paper, quoted in the *Times*, as 'Speaking trumpet-tongued to the necessity for improved cottages.'

show how urgent is the claim for more extended and energetic action. It is with the earnest desire of contributing thereto that, in the presence of some who have taken a distinguished part in the promotion of this object, I venture, though deeply conscious of my inability to do the subject full justice, to present a brief record, and to endeavour to elucidate the most prominent efforts hitherto made for its accomplishment, as well as to offer some suggestions which are the result of practical experience during the last fourteen years; the latter five of which having been passed chiefly on the Continent, for the recovery of health, will enable me to refer to several other countries where the felt necessity* for similar ameliorations has led to their partial adoption.

In the slight historical sketch with which it may be useful to precede my more practical remarks, the difficulty of separating from sanitary reform as a whole, that branch which is the object of our more especial attention, will, I trust, be admitted as an apology for my venturing to touch, though but incidentally, on a subject which was treated of last year in so lucid a manner by the then noble President of the Public Health Department, Lord Stanley.

In looking back to the origin of the movement for improving the dwellings of the labouring classes, I might refer to numerous isolated efforts, and quote from the writings of John Howard, of Dr. Chalmers and Dr. Gilly to show the existence of a long felt necessity for such ameliorations anterior to the first practical suggestions made in the metropolis by Mr. Sydney Smirke in 1834.† It was not, however, more than one-and-twenty years since that the Government department charged with the care of the poor initiated an inquiry which, in a sense, may be regarded as the starting point to efforts now widely extending, though still far in the rear of their need. The poor had suffered greatly during the first visitation of the cholera in 1832; and in 1837 a violent and extensive epidemic of typhus fever having broken out in the eastern districts of London, the Poor Law Commissioners requested Dr. Southwood Smith to inquire into their sanitary condition. At the same time, Dr. Neil Arnott and Dr. Kay, now Sir J. P. Kay Shuttleworth, Bart., examined the state of other metropolitan districts. The personal inspection in Bethnal-green and Whitechapel, made from house to house, and

* The chief magistrate of Genoa told me in 1856 that the municipality had there been put to an expense of 500,000*l.*, during the recent attack of cholera, mainly in relieving those of the population who live in narrow streets and filthy dwellings; and he added, 'I can now, from experience, confirm what is stated in the publications you formerly gave me, as to the heavy expense which may be incurred in consequence of a defective sanitary state.' A society for building improved dwellings has been since formed at Genoa, in which the King is a shareholder, and another projected at Turin received Government countenance.

† I refer to Mr. Sydney Smirke's 'Suggestions for the Architectural Improvement of the Western part of London, 1834,' in which the circumstances and necessities of the poorer inhabitants are dwelt on with much feeling, whilst high professional talent is applied to suggestions for their amelioration, some of which, at a later date, were embodied in plans for that object, given to the public.

recorded on the spot by Dr. Southwood Smith, revealed a state of things of which at that time the public was greatly ignorant. A second report, made in 1839, exhibited as their practical results excessive disease and premature mortality, together with a fearful amount of physical and moral degradation; whilst by official returns it was shown that, in the year ending 25th March, 1838, out of the 77,000 persons, who in 12 months received in and out-door parochial relief, 14,000 were the subjects of fever. The statements in these reports produced so deep an impression on the public, and on the Legislature, that a combination was at once formed of some of the most distinguished statesmen and philanthropists, with a view to the devising of remedial measures. In the same year, 1839, the Health of Towns Association* was formed for that express purpose; and in the following year, 1840, Mr. Slaney obtained the appointment of a Committee of the House of Commons to pursue the investigation, whilst the subject was taken up earnestly in the House of Lords by the then Bishop of London. In 1841, the Marquis of Normanby, then Home Secretary, introduced and carried through the House of Lords the first legislative remedial measure, but owing to a prorogation of Parliament, it never reached the House of Commons. Continued practical attention to the subject was, however, manifested; and, in 1842, the Report of an Inquiry into the Sanitary Condition of the Labouring Population was published by the Poor Law Board. Lord Stanley, in alluding to Mr. Chadwick's connexion with this report, described it as 'a work which, from that day to the present, has been the text-book of sanitary research.'

In May, 1842, a Royal Commission† for inquiring into the state of large towns and populous districts was appointed; amongst its members were the Duke of Buccleugh and Lord Lincoln, now Duke of Newcastle. The final clause of the instructions to this commission directed inquiry to be made 'as to how far the condition of the poorer classes of the people, and the salubrity and safety of their dwellings, may be promoted by the amendment of the laws, regulations, and usages.' The first report of the Commission appeared in 1844, and the second in 1845. The mass of evidence which they contain may still be consulted with advantage on many important points.

The whole of the investigations which have been referred to distinctly traced to the condition of the houses of the labouring classes most of the leading causes of the excessive sickness and mortality shown by the invaluable returns of the Registrar-General, whilst to certain definite conditions about their abodes were traced the true sources of the constantly recurring epidemics, which carried off one-

* This Association published a valuable lecture on 'The Unhealthiness of Towns,' by Viscount Ebrington, M.P.

† The Reports of this Commission formed the basis of a very useful series of letters on the unhealthy condition of the lower class of dwellings, by the Rev. Charles Girdleston, published in 1845. Second Edition. Simpkin and Co., 1851. In the author's recent work, 'The Questions of the Day,' the same subjects are not overlooked.

half of the children born whilst yet in childhood; destroyed by fever the heads of families in the prime of life; and deprived this class of the population of more than one-third of their natural term of existence.

Amongst the first in point of date of the measures taken in consequence of these disclosures, was the establishment, by philanthropic individuals, of two societies, formed in the metropolis, with a view to work out and to exhibit a practical remedy for the great social evils resulting from the state of the dwellings of the working classes. A remedy which would recommend itself to extensive adoption; be the means of stimulating the owners of existing houses, from self-interested motives, to improve and render them healthy abodes; and afford the evidence of practical results in support of an appeal to the Legislature for a somewhat unprecedented interference with private property.

One of these societies, which was formed in 1842 under the designation of the Metropolitan Association for Improving the Dwellings of the Industrious Classes, is based on the sound and only principle on which it can be reasonably expected that the construction of improved dwellings for the labouring population in towns can be effected on a scale at all adequate to their necessity—viz., that of an investment of capital, with the prospect that under good management a fair return on the outlay will be realized. This society has had amongst its leading members the Earl of Carlisle, Viscount Ebrington, Lord Haddo, and Sir Ralph Howard, the present chairman.

The other society, which has received benevolent contributions amounting to about one-half of its expenditure, was established as a professedly model institution, under the designation of the Society for Improving the Condition of the Labouring Classes. Her Majesty the Queen being the patron, His Royal Highness the Prince Consort the president, and the Earl of Shaftesbury the chairman of the committee. Although not founded until 1844, this society took precedence in the practical commencement of the work, by beginning in the same year the first* range of model houses, which was built at Bagnigge Wells. The Metropolitan Society did not begin to build until after its incorporation by Royal Charter in October, 1845.

To return to the measures taken by Government. The first and most important legislative† result of the Reports which have been referred to was the introduction, by the present Earl of Carlisle, then

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* Two previous efforts made by societies to effect this object have come to my knowledge. The first was by a society formed in Edinburgh more than thirty years since; the second by an association in the north-west of London. Both were abandoned, owing to the difficulty of obtaining suitable sites, and the subscribed capital was in each instance repaid.

† Those to whom an epitome of these acts may be useful will find it generally in 'The Companion to the Almanac' for the year succeeding that in which they were passed. Most of the Acts of Parliament bearing on sanitary subjects are, with explanatory notes, published by Messrs. Knight and Co., 90, Fleet-street, London, who are publishers to the Local Government Act Office.

Lord Morpeth, and the passing of the Public Health Act in 1848, and of the Nuisances Removal and Diseases Prevention Acts in 1848 and 1849. These Acts have been subsequently amended, the two latter in 1855, and the former in 1858.* Provisions under the Act last referred to, that to amend the Public Health Act of 1848, and entitled 'The Local Government Act,' effect very important changes, and contemplate an extensive application of local government to the carrying out of sanitary and other kindred improvements, without recourse to a central executive, or to Parliament. A general uniformity of action will result from the adoption, by local authorities, of the forms of bye-laws to be issued for their use by the Secretary of State for the Home Department. This Act has now come into force in districts already under the Public Health Act.

The General Board of Health was established under the Act of 1848, and its powers have been continued by subsequent Acts, until the coming into operation of the Local Government Act, passed in the present year, when, as a central executive or controlling body, it ceased to exist, and its other general functions in relation to local improvements were transferred to a newly-created department of the Home Office, under the designation of the 'Local Government Act Office.' The sanitary functions of the late general board were at the same time, by the Public Health Act of 1858, transferred to the Privy Council, to which Government department a medical officer was attached for the purpose of carrying them into effect.

In 1851 'The Labouring Classes Lodging-houses Act' was passed, its object being to enable parishes or boroughs containing not fewer than 10,000 inhabitants either to build new houses, or to adapt old ones to the purpose of furnishing better lodgings for the labouring classes; to which end power is granted to raise money and to defray the attendant expenses out of the poor-rates, whilst, as far as possible, such houses are to be made self-supporting. This Act does not apply to Scotland. The want of any definition of the term 'Lodging-houses' appears to leave it doubtful whether the power given embraces such dwellings as are called 'Model Houses,' and intended for the fixed residence of families. As far as I have been able to ascertain, the Improvement Commissioners of Huddersfield have alone practically recognised the responsibilities arising out of this Act.

In April, 1851, leave was given to Lord Ashley to introduce in the House of Commons the Act for regulating 'Common Lodging-houses,' a measure second only to the Public Health Act as to its necessity, and the importance of its results. In June of the same year, as Earl of Shaftesbury, his lordship moved its second reading in the House of Lords. This bill, which came into operation in July, 1851, was amended in 1853. It differs in principle from the generally permissive and enabling enactments of the Labouring Classes Lodging-houses Act of 1851, and the Dwellings Act of 1855, its operation

* A compilation of the sanitary laws enacted from 1848 to 1858 has been recently made by Mr. Lumley, of the Poor Law Board, and is published by Shaw and Sons, Fetter Lane.

being compulsory, and one which local authorities are bound to carry into effect; certain conditions of cleanliness, proper ventilation, and the avoidance of overcrowding, as well as the separation of the sexes, are enforced. The subjects, or the classes, on which it operates include vagrants, and others forming the lowest portion of the population, thieves and vagabonds of every description, as well as artisans and labourers, who are either on passage or who have not the means of providing a better home. The very striking and valuable results of the operation of this Act have been proved so conclusively by returns made to the Home Secretary, and laid before Parliament; and which have since had so wide a circulation, particularly that by Captain Hay in 1853, as well as others of later date, that it has been confidently expected the power would be granted by the Legislature,* of applying generally the operation of this Act, or its principal clauses, to all tenements let at weekly rents of less than 3*s.* 6*d.* per room; a power which was conferred in the city of London by their Amended Nuisance Removal Act of 1851. The judicious enforcement of such a regulation under competent inspectors, and such supervision as is exercised by the Medical Officer of Health† in the city of London, could not fail of forcing the owners of low class dwellings to do generally that which has been successfully attempted, on a very limited scale, by societies in the metropolis and elsewhere. In those instances, however, too often a greater part of the actual occupants have been ejected, in order, not only to reduce the number of tenants to a due limit, but also to secure a more eligible set of tenants. The latter object will, on reflection, be seen greatly to detract from the apparent benefit derivable from such a mode of improving the most wretched class of dwellings, whilst to the existing inhabitants of such houses the greatest advantages would inevitably result from the operation of a power, acting gradually and simultaneously on the owners of all such property, whereby not only a sufficiency of light and air, a good supply of water, with proper drainage, and suitable means for the disposing of refuse, would be universally enforced, as essential to the healthy condition of all houses let for human habitation, but also their overcrowding be effectually prevented.

The class who have not the power, in this respect, of protecting themselves, and who suffer so greatly from the consequences of that inability, may justly expect at the hands of Government the same immunity in regard to their dwellings which the public at large are entitled to in regard to the falsification of weights, and the unwholesome condition of staple articles of food. Under the operation of the Local Government Act of 1858, the power of applying the Lodging House Act, possessed as already stated in the City of London, might

* A Bill for the prevention of over-crowding in the dwellings of the poor was introduced, and carried through the House of Lords in 1857, but was withdrawn in the Commons towards the end of the session.

† The Annual Reports on the Sanitary Condition of the City of London, made by Mr. Simon, the former, and by Dr. Letheby, the present Medical Officer of Health, may be consulted with much advantage on this subject.

probably be exercised without exciting formidable opposition and jealousy of Government interference.

Experience, communicated to me very recently by Lord Kinnaird, in reference to the Model Lodging Houses in Great Peter-street, Westminster, which were amongst, if not the earliest individual efforts of the kind, is not only conclusive as to the operation of the Lodging House Act, but confirms inferentially the opinion I have expressed with regard to the application of its principle to the lower class of houses, let at the weekly rents usually paid for such property. It may also be useful as a caution, not to rely in other cases too confidently on the high rate of return which has been obtained from the Charles-street and the King-street renovated lodging-houses, as shown in the tabular statement given hereafter. Lord Kinnaird writes, under date 15th September, 'Our rate was and always has been the lowest charged in the neighbourhood, viz., 3*d.* per night, and Sunday free. These houses yielded for many years a very fair return, but during the last two or three years there has been a loss of about 25*l.* per annum arising from various causes. In the first place, a great portion of the wretched old houses in Westminster have been pulled down, to make room for Victoria Street, and the population to a great extent has migrated to other quarters. Again, the introduction of the Lodging House Act, one of the best measures which ever passed the Legislature, has so improved the other lodging-houses in the district, that people, I find, will rather pay 1*d.* extra for a bed in other houses as clean now as ours—than submit to the regulation as to hours, &c., which we think it right to enforce. The object, however, I had in view, has been obtained, which is all I could desire—as under the Lodging House Act, model lodging-houses for single men are not now so much required in London, where the provisions of the Act are fully enforced by the police." The value of the practical experience of a nobleman, who has devoted much time to the subject, and the special bearing on manufacturing districts of some of the remarks in a subsequent part of Lord Kinnaird's letter, leads me to quote further the following passage: 'We have a good model lodging-house in Dundee,* which has been opened some years. We subsequently opened a female lodging-house for girls working in the mills, charging much lower per bed; and having secured the services of a first-rate matron, the house just paid its expenses, though we were not so fortunate in a second one we opened, which did not pay. Now, however, we have procured a large house, capable of accommodating nearly 300; and under the superintendence of our able matron, Mrs. Leslie, I doubt not that it will answer. An incalculable amount of good has been effected in this lodging-house, principally by her

* In a printed Report of the Dundee Model Lodging House Association it is stated that amongst the inmates of one of the female lodging-houses, in which drunkenness used to be prevalent, this vice is almost extinguished, and that the most marked improvement may be noticed in the health and dress of the women and girls, and in their habits of cleanliness and regularity.

means; and I am satisfied that no manufacturing town ought to be without such houses. I hope to see the day when all employers of labour, whether in the town or country, will feel the obligation which rests upon them to see that those in their employment have the means of obtaining respectable, clean, and well-ventilated lodgings. We have lately opened a lodging-house in Perth, which was fitted up, repaired, and enlarged, by part of the proceeds of a bazaar. It contains thirty-five beds for males, and ten for females, with a separate entrance. The results since the opening have been most satisfactory, and I have little doubt but that it will answer in a pecuniary point of view. The lodging-houses are of great service to that portion of the population who migrate in search of employment, or for other reasons, to different towns in England or Scotland, as the lodgers can be referred from one house to another. Every town ought to have a model lodging-house, with notice thereof stuck up at the different stations.'

The model lodging-house established at Leeds in April, 1851, by Mr. Becket Denison, of which the early history is given in the work edited by Viscount Ingestre, *Meliora*, has been carried on with much success, notwithstanding some temporary diminution in the number of lodgers during the Crimean war. An interesting and very useful statement, down to the present time, with which Mr. Denison has favoured me, is appended to this paper.

In 1855 a Bill for promoting the building of dwelling-houses for the labouring classes,* and providing for the registration of joint-stock companies formed for that purpose, was passed, under the title of 'The Labourers' Dwelling Act:' this legislative measure has greatly facilitated the formation and general management of independent local associations, conducted on the principle of a joint-stock company with limited liability. In the same year another Bill was passed for effecting the like object in Scotland, with this peculiarity, that it contains a compulsory power of considerable importance, whereby 'owners of buildings faulty in their original construction, or fallen into a state of dilapidation, or being in a condition which may cause disease to the inhabitants or the neighbourhood,' may, on their neglecting to remedy the defects, after due notice, be compelled to surrender the property, at a fair valuation, to any duly constituted improvement association applying for it to the proper authorities. I allude particularly to this clause, having, in answer to an inquiry made in Edinburgh nearly two years after the passing of the Act, received the following reply:—'I was not aware that in the Scottish Act there was any clause empowering building associations to obtain possession

* Whether the want of further legislative power is alluded to in the following statement from the *Times* of 29th September, 1858, is not quite clear. 'Mr. Deputy Corney, as a sure means of securing a large amount of sanitary improvement, recommended that model lodging-houses should be built by the Commission (City Sewers) in conjunction with the corporation, but it appeared that the Commissioners had no power to apply the public money to any such purpose, and the proposition therefore fell to the ground.' The building of such houses by the Corporation of London has been often agitated, but as yet nothing is done.

of buildings in a state of dilapidation, &c., else I am sure it would be largely acted upon in some parts of Edinburgh.' Another Bill to encourage the like object in Ireland was passed in 1856. It provides a summary remedy for landlords who have built suitable cottages, and the tenants of which have become defaulters, or committed nuisances.

The repeal of such taxes as the duty on bricks, on glass, and on windows, which pressed heavily on the construction, whilst they impeded the healthy condition of houses, was of much importance to the dwellings of the poorer classes, and was a valuable concession made to public feeling by the administration of our noble president, Lord John Russell.

Amongst the various measures of a legislative character which ought not to be overlooked, is the standing order adopted in 1853 by the House of Lords, with a view to ascertain the necessity for enforcing the construction of suitable dwellings for the working classes, in lieu of such as may be demolished under powers granted by Parliament for the carrying out of public improvements, or of the works of large companies, such as docks, railways, &c. The want of any such provision has led to incalculable misery and evil in our own metropolis; and, at the present time, similar results arise out of the gigantic and unprecedented destruction of low-class dwellings in Paris, where, however, it is now beyond doubt a part of the Government policy to disperse and to eject, at least from the heart of the metropolis, a considerable portion of the working classes. It remains to be seen whether colonies, formed in the environs without any adequate and suitable provision being previously made, do not increase the centres of discontent and political agitation, besides producing similar evils to those which resulted from our own destructions in Regent-street, New Oxford-street, and the Borough improvements; the consequences of which, in certain localities round London, were well known to the police and to medical men, in a combination of physical and moral evil as yet by no means rooted out. Having recently seen formations of a similar kind in the neighbourhood of Paris, and feeling that our experience in this matter might be useful as a warning, from a sense of duty I brought the subject under the personal consideration of the Emperor,* in a memorial, which at the same time pointed out the beneficial effects likely to result from the adoption of a principle not yet acted on in Paris, but which has partially been recognised in London—viz., the providing by Government of suitable dwellings for their subaltern *employés*, a class whose pecuniary resources do not generally exceed those of ordinary workmen. The lodging of such persons at a fair rent, which might be guaranteed by a deduction from their salaries, would leave vacant a corresponding number of dwellings available for the general popula-

* The translation into French of the first edition of my work entitled 'The Dwellings of the Labouring Classes, their arrangement and construction,' and its extensive circulation by order of the Emperor, when President of the Republic in 1850, have led to my attention being particularly directed to the progress of this object in France, and induced the hope that the suggestions offered to his Imperial Majesty would not be considered intrusive. In this respect I was not mistaken, though the practical results have yet to be manifested.

tion, who must be thereby indirectly benefited, whilst a most excellent example would be set to public bodies, and to individuals who employ large numbers of workpeople.

In London provision has been made for lodging in suitably constructed buildings about 3500 unmarried policemen, and it is felt that the construction of dwellings for the remainder of the force, numbering about 2500, who are married men, and who, out of wages of 19*s.* to 21*s.* per week, pay from 4*s.* to 6*s.* for lodging, would, besides the great benefit to themselves and their families, facilitate their being speedily called on duty in case of sudden emergency. The providing of dwellings for the letter-carriers and others employed at the General Post-office* was under the consideration of the late Postmaster-General, the Duke of Argyll.

The endeavour to bring home responsibility in reference to the dwellings of the working classes, and to indicate an apportionment of that labour which their amelioration must necessarily involve, has induced me to give some details I should have otherwise withheld, and leads me, before closing my remarks under the head of 'Government Measures,' to express a strong conviction that an amendment of the laws relating to the transfer of land would in no small degree promote this object, as well as give the facility needed to enable the working classes more easily to become owners of their own dwellings, which in many places on the Continent, including Berlin and Munich, as well as Mulhouse in France, and Locle in Switzerland, has proved a powerful stimulant to forethought and general good conduct. The societies established in those places have given their tenants the option of either renting their dwellings at a moderate rate, so as to yield a clear net return of four to five per cent. on the outlay, with a small sinking fund; or, by paying a higher rate for a fixed period, the tenant becomes, at its termination, owner of the property. Elsewhere the tenant obtains the right of ownership by paying, in addition to the low rent, the cost of the building, in small sums, at convenient times, the interest on which accumulates to his credit. The purchase of his house thus becomes to him a savings bank.

I have deeply regretted the loss of an opportunity for trying this experiment in London, which some of the houses in the first range of model buildings constructed at Bagnigge-wells in 1844 were adapted for, and might doubtless have been so disposed of at their cost price, had they not been sold as they were during my absence from England.

Another measure of legislative interference appears also to be much needed in order to stop the continuance of, and provide a remedy for,

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* It has been stated by Mr. S. Smirke, many years since, that the Board of Customs built cottages for the men of the Coast Guard service, who pay a rent, always lower than that charged for similar accommodation in adjacent villages, yet sufficient to produce a fair rate of interest on the outlay. In many instances Government and public bodies might do well to commence by building for not more than two-thirds the number of men employed, so as to be able to make the occupation of their houses a favour, rather than a compulsory obligation. Personal observation has led to this suggestion.

the great evils resulting from the selfish system pursued in some 'close parishes' of pulling down cottages, in order to obtain relief from a burden by throwing it on a neighbouring parish, and that without compunction for the hardships endured by the labourer, who not unfrequently has, in consequence, to walk several miles to and from his work. The late Sir Robert Peel on one occasion calculated the positive loss from the waste of valuable time and strength thus expended, and referred to the case of a labourer who was forced to keep a donkey in order to avoid the loss of physical power. What would be thought of an agriculturalist not more careful of his cattle, than many are of the labourers in their constant employ, whose abodes too often resemble a sty or a kennel rather than a dwelling fit for human beings?

In regard to a variety of suggestions made for granting *pecuniary assistance on the part of Government*, the difficulty of treating such a question in a few words forbids any expression of opinion thereon. That made in the instructive pamphlet by Major-General Tremenheere,* of advances at a low rate of interest to three existing societies, would require more serious consideration than the two following:—Lord Kinnaird writes to me: 'I am inclined to think that the authorities in large towns† might be empowered, under proper restrictions, to raise money on the security of the town's property for the purpose of erecting dwellings to be let out to the working classes, in cases where employers of labour cannot, or more frequently will not, undertake the necessary trouble and expense.' The Rev. Henry Stuart, the well-known and zealous hon. secretary of the Scottish Association for Promoting Improvements in the Dwellings and Domestic Condition of Agricultural Labourers, remarks, in his instructive pamphlet on that subject, 'Government gave lately a great boon to the landlord and tenant by the Drainage Act. Might not a similar boon, on the same terms, be given for behoof of the labourers, to give them plenty of comfortable dwellings, and thus increase our best national defences?'

Prior to entering on the second branch of this inquiry it may not be out of place to glance at the valuable contributions of the press in furtherance of the object in question. The powerful advocacy which it has constantly had in the columns of the *Times*,‡ the graphic descriptions in the series of letters which appeared about nine years since in the *Morning Chronicle*, the many very forcible and frequently illustrated observations and appeals by the Editor of the *Builder*, the appalling but truthful disclosures as to the actual state of the

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* 'Dwellings of the Labouring Classes in the Metropolis,' by Major-General Tremenheere. Knight and Co., 1856.

† The Labouring Classes Lodging Houses Act of 1851 gives the power of raising money by loans in parishes with a population of 10,000. But the want of any definition as to the meaning of the term 'lodging-house,' appears to be a barrier to its being acted upon for the purpose suggested by Lord Kinnaird.

‡ For at least a quarter of a century the *Times* has not ceased to decry such evils as were alluded to on the 2nd September, 1833, in the following quotation—,

lodging-houses in London, which appeared in a pamphlet published in 1845 by the London City Missionary Society, as well as numerous other writings,* none of which can claim priority of date to the most stirring and well-known pungent appeals of 'S. G. O.,' whilst all have tended to arouse the public and keep alive attention to a subject of the greatest urgency.

The sympathy evinced by societies only incidentally connected with this movement also deserves notice. The Royal Agricultural Society published in 1849 the Duke of Bedford's admirable letter on cottage building, and its Journal has often urged that object on the attention of landed proprietors generally. The Statistical Society of London, as early as 1842, at the suggestion of the present Earl of Harrowby, instituted a house to house visitation of inquiry in the parish of St. George, Hanover-square; and in 1847–8 Church-lane, St. Giles's, was examined in a similar manner by Colonel Sykes and Dr. Guy. The Society of Arts has repeatedly, in various ways, afforded facilities for furthering the common object. Architects have been invited to submit plans for labourers' cottages, and in February last Mr. Rawlinson delivered in its theatre a valuable lecture on house accommodation. Nor has the Royal Institute of British Architects been backward to participate in efforts which, aiming at the accomplishment of an essential and widespread reform, justly claims universal sympathy, and liberal co-operation.

The lack of public sympathy in the following instance should not, however, be entirely overlooked.

The Metropolitan Sanitary Association, of which the late Bishop of London was president, Viscount Ebrington, chairman of the committee, and the Rev. Charles Hume vice-chairman, was established in 1850; and even in this case, although the want of sufficient interest on the part of the public impeded its labours and restricted their usefulness, the association was doubtless a means of diffusing much information, and of stimulating to exertion.

The *Second branch of our inquiry* relates to the improvement of the dwellings of the labouring classes by public bodies and benevolent associations, as well as by individual efforts. Although many of the railway companies, and some other commercial bodies, have, in places

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'A house (and there are hundreds let in a similar manner) in a densely populated and extremely unhealthy neighbourhood, consisting of nine small rooms, was occupied by no less than eleven men, thirteen women, and thirty children, breathing the air of pestilence in the dog-days, and such is the confined state of the neighbourhood (Monmouth-street), that a breath of air can scarcely enter within its purlieus.' The same journal, in a leading article of the 9th April, 1857, after denouncing a similar state of things in the 'City' of London, described by the Medical Officer of Health, and applying with caustic skill the parable of the rich man and the beggar who lay at his door, shows that the continued existence of such evils, is a 'crime' shared by all who can do anything to abate it, and who leave that undone.

* The chapters relating to the dwellings of the labouring classes in the two volumes entitled *The Perils of the Nation, and the Remedy*, published anonymously by Messrs. Seeley in 1844 and 1845, as well as those on the same subject in the two volumes edited by Viscount Ingestre, and entitled *Meliora*, were not the least instructive parts of those much read publications.

where dwellings for those in their employ would not have been otherwise obtainable, built them extensively, yet, as far as my information goes, this has generally been done solely for their own convenience, and but rarely in recognition of the principle that those who have working people in their regular and exclusive employ are bound in duty to care for their domiciliary condition. Many manufacturers, as well as owners of mines and quarries, besides a considerable number of landed proprietors, have, however, manifested the conviction that no measures adopted for the physical and social benefit of their work-people and labourers can be complete, if the state of their dwellings be neglected; and many such employers have learnt by experience that money so invested yields from indirect results an interest not to be measured by the ordinary calculation of per-centage on the capital.

Before referring to such efforts in detail, the precedence as to time leads me again to notice the two associations formed in the metropolis in 1842 and 1844, as already stated. The exclusive object of the first established is shown by its title—'The Metropolitan Association for Improving the Dwellings of the Industrious Classes.'* A wider field was embraced by the 'Society for Improving the Condition of the Labouring Classes,' which is also called the 'Labourer's Friend Society.' But, with the establishment of the field-garden, and cottage allotment system, the main practical branch of its operations has been to promote the improvement of labourers' dwellings, 'both in the metropolis and in manufacturing and agricultural districts,' by 'arranging and executing plans as models.' These associations have paved the way, and led to the formation of numerous kindred societies, as well as stimulated to individual efforts in all parts of Great Britain, and in other countries. They have also afforded, in the value of the more direct results of their efforts, and in the practical confirmation which they gave to the assertions of theoretical sanitary reformers, the most undeniable arguments in support of repeated and successful demands made for legislative interference. No proof more convincing could be presented as to physical results than that of an average return for the four consecutive years, 1850 to 1853, of not more in either year than 13.6 deaths per 1000, amongst the inmates of all their model houses, as compared with 27 to 28 per 1000 in the districts immediately around them, and of 25 per 1000 in the metropolis generally. Besides an almost entire freedom from the special diseases to which the lower classes are more peculiarly subject, not even excepting cholera.

The experience of both societies as to physical and moral results being now too well known to need a more extended notice, my chief aim will at present be to throw from the same source, some light on the important question of financial results.

In reference to the Metropolitan Society, I may remark that the

* Several of the provincial societies, hereafter named, have acted under the immunities conferred by the charter of the metropolitan association, to branch societies; some of them are now re-organized as independent societies under the Labourers' Dwellings Act of 1855.

paying off by special contributions the heavy amount of the preliminary expenditure, including a charter, stated to have cost 1430*l.*, would only be placing it in a fair position, so that the public might judge how far, unencumbered by extraneous expenses, its outlay would yield a fair rate of interest, which it does not at present, owing, however, in no inconsiderable measure to the Society's buildings for single men not filling. Some of the dwelling-houses might also be relieved from the charge of house-tax, under which they fall, owing to the adoption of the system of internal staircases for giving access to the various tenements, instead of the system of external galleries, which has been carried out in the piles of family houses built by the other society, and which system, on an appeal made to the judges, was decided to entitle the tenements to exemption as distinct houses, let at rents below the rateable amount. These buildings on the same ground were exempt from the window-tax. The payment of house duty last year by the Metropolitan Society was 107*l.* 10*s.* 11*d.* I refer with pleasure to the annual accounts published by this society, as a model for distinctness and precision of detail worthy of imitation. The tabular statement on the opposite page shows the rates, taxes, repairs, &c., of each establishment for the year ending 31st March, 1858.

This Society published with their Report for 1856 a very useful pamphlet entitled 'Healthy Homes;' to it is appended Dr. Southwood Smith's 'Results of Sanitary Improvement,'* to which any one desirous of learning the results of sanitary measures may refer for valuable illustrations; and amongst several others, to the account given of the state of Lambeth-square, in the Waterloo-road, in 1851, before, and in 1853, after their application.

An examination of the latter Reports of the Metropolitan Society has led me to note the following points as being those of most interest to persons not identified with the Society:—1. The experience of Ingestre Buildings, near Golden-square, has confirmed the views of the directors as to the advisability of providing dwellings as near as possible to the place of employment of a tenantry. 2. These buildings, accommodating sixty families, were, after nearly 3000*l.* had been expended on them by the original projectors, transferred in an unfinished state to this Society, without any reimbursement of that outlay, in consideration of the heavy ground-rent of 300*l.* per annum to which they are subject. 3. Dwellings for families have always been the most remunerative. 4. The gross rental received by the Society for the year ending March, 1856, was 6256*l.* 5*s.* 6*d.*, yielding a net rental of 2006*l.* 12*s.* 7*d.*, which produced two and a-half per cent. on the capital. Had the houses been fully occupied, the gross rental would have been 9161*l.* 4*s.* 4*d.*, which would have yielded

* This pamphlet is published by C. Knight, 90, Fleet-street. I gladly acknowledge its use to me in the preparation of a pamphlet entitled 'The Physical Condition of the Labouring Classes, resulting from the state of their Dwellings, and the beneficial effects of Sanitary Improvements recently adopted in England,' published at 21, Exeter Hall, and of which translations have been widely circulated on the Continent.

TABULAR STATEMENT PUBLISHED BY THE METROPOLITAN SOCIETY,

Showing the Rates, Taxes, Repairs, and other Expenses of each Establishment, for the Year ending 31st March, 1858,

	Albert Street, 60 Families.	Albion Buildings, 24 Families.	Ingestre Buildings, 60 Families.	Nelson Square, 108 Families.	Pancras Square, 110 Families.	Pelham Street, 33 Families.	Pleasant Row, 9 Families.	Queen's Place, 10 Families.	Albert-st. Chambers, 234 Single Men.	Soho Chambers, 128 Single Men	TOTAL.	
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Rent	...	...	286 5 0	...	88 14 11	...	...	47 14 3	...	286 5 0	...	708 19 2
Poor and Police Rate	92 5 0	20 13 4	53 15 0	97 3 6	110 0 0	5 16 8	19 7 0	7 6 3	91 17 2	32 13 4	...	530 17 3
Lighting Rate	...	...	...	12 9 2	13 0 0	...	...	...	...	...	...	25 9 2
House Duty	13 2 6	6 11 3	26 15 6	...	37 10 0	...	...	...	12 6 8	11 5 0	...	107 10 11
Land Tax	...	...	19 15 3	...	...	1 2 9	3 11 6	2 7 8	...	14 1 2	...	40 18 4
Property Tax	19 6 3	8 17 1	34 4 3	49 3 5	33 6 8	3 3 4	4 1 6	2 3 2	17 13 10	14 7 6	...	186 7 0
Sewers Rate	13 13 4	1 13 4	...	12 9 2	2 0 0	0 8 4	2 17 4	0 18 9	13 15 7	3 10 0	...	51 5 10
General Rate	51 5 0	...	26 17 5	39 17 4	44 0 0	1 13 4	10 15 0	3 18 9	51 19 10	11 13 4	...	242 0 0
Church Rate	...	3 0 0	...	...	...	...	...	0 7 6	...	1 3 4	...	4 10 10
Consolidated Rate	...	6 5 0	...	...	...	...	...	...	...	...	...	6 5 0
Ward Rate	...	0 8 4	...	...	...	...	...	...	...	...	...	0 8 4
Militia Rate	...	0 13 4	...	...	...	...	...	...	...	...	...	0 13 4
Repairs of Building	81 5 4	10 0 11	22 5 11	38 18 6	168 13 3	2 3 6	13 13 10	6 3 1	56 0 1	57 0 10	...	456 5 3
Repairs of Linen, &c.	...	...	...	...	...	...	...	...	35 1 3	21 8 7	...	56 9 10
Sinking Fund	...	..	17 0 0	...	35 0 0	...	...	...	...	18 0 0	...	70 0 0
Water	33 15 0	7 16 0	30 0 0	50 0 0	45 0 0	5 2 0	11 2 6	5 0 0	28 15 0	16 16 0	...	233 6 6
Gas	22 18 10	4 3 9	23 18 9	34 2 3	40 19 0	...	...	...	96 12 0	61 8 9	...	284 3 4
Superintendent and other Salaries	76 15 0	11 8 10	87 13 0	78 4 6	78 0 0	...	9 4 0	4 9 2	330 19 3	209 5 6	...	885 19 3
Cleaning Materials & Soap	15 15 3	5 10 0	6 16 5	9 4 9	22 2 11	...	...	1 7 9	50 19 5	15 14 1	...	127 10 7
Washing House Linen	...	...	...	...	...	...	...	...	49 1 11	45 6 2	...	94 8 1
Coals, Coke, and Wood	...	...	...	...	...	...	...	...	97 4 10	49 8 7	...	146 13 5
Insurance	...	2 5 0	16 17 6	13 10 0	15 11 0	...	3 16 9	1 7 0	17 10 0	11 0 0	...	81 17 3
Newspapers	...	...	...	...	...	...	...	...	14 3 7	19 11 4	...	33 14 11
Total Charges	420 1 6	89 6 2	652 4 0	435 2 7	733 17 9	19 9 11	78 9 5	83 3 4	964 0 5	899 18 6	...	4375 13 7
Net Rents, balance of: Profit	386 8 10	130 4 1	455 1 9	1003 11 2	555 19 2	...	95 6 7	7 4 2	137 2 7	...	2770 18 4	2602 8 5
Net Rents, balance of: Loss	...	...	...	...	...	19 9 11	...	...	...	149 0 0	168 9 11	
Gross Rents	806 10 4	219 10 3	1107 5 9	1438 13 9	1289 16 11	...	173 16 0	90 7 6	1101 3 0	750 18 6		6978 2 0
Cost	11365 11 8	2381 1 1	9852 6 3	23051 18 3	18306 1 3	4624 1 4	2979 9 4	56 8 2	13742 1 10	1422 7 7		87781 6 8

upwards of three per cent. additional, or five and a-half per cent. on the capital invested in buildings, after deducting rates, taxes, and other local expenses of each particular establishment, from which, however, must be deducted three-fourth per cent. for staff expenses, and a further small amount consequent on changes of tenants. 5. Whilst the receipts of the buildings from December, 1847 to 1857 have been 36,893*l.* 14*s.* 8*d.* the bad debts have not amounted to 160*l.* 6. In the report of 1857 it is stated that, taking an average of the last three years, the mortality has been little more than one-half that of the rest of the metropolis. For the year ending 7th March, 1858, the deaths are reported to have been thirty-nine out of an average population of 2102.

As it may be of practical use to show how regular have been the receipts for a series of years from some of the earliest of the model houses,* the following tabular statement, made out from the published Annual Reports of the Society for Improving the Condition of the Labouring Classes, or Labourer's Friend Society, is given; the outlay on the different buildings is also stated, together with the clear percentage return, exclusive of any deduction for repairs. It will be observed that the three ranges of dwellings first on the list are new buildings, the two latter were old,† adapted to the purpose, and put in a good sanitary state, at the lowest cost consistent with the attainment of those conditions. The Thanksgiving Model Buildings in Portpool-lane, the fourth of the Society's new ranges of buildings, is not given, because the Public Baths and Washhouses connected with them as an experiment, though proving of great value to the neighbourhood, now barely pay the current expenses, and yield no return whatever on the outlay, but the contrary. The large proportion of accommodation they afford for 128 single women has also proved much less remunerative than the family houses. The beneficial effect of these buildings on the neighbourhood has, however, been very remarkable. Another of the Society's renovated houses, that in Hatton-garden, is not given, having been long occupied as a depôt for female emigrants—a kindred object for which it was let to return seven per cent. on the outlay. It is now a men's lodging-house.

The establishments comprised in the following table are those which afford the best guide for calculations as to the financial results obtained by the Society, reference being had to subsequent explanatory remarks:—

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* For plans and full descriptions of these houses, see the work referred to in the note, folio 591, fifth edition, published by the Society for Improving the Condition of the Labouring Classes—21, Exeter Hall, London.

† The three old houses, out of which the lodging-house for eighty-four men in Charles-street, Drury-lane, was formed in 1846-7, when first taken in hand, much resembled a warren, and doubtless the police have in former days not unfrequently given chase to the inmates under their roof. Now they are an example of order and propriety to one of the lowest neighbourhoods in the metropolis, and with the lodging-house for men in Great Peter-street, Westminster, established about the same time, were the earliest known attempts at the renovation of old houses. The lodgers in the Charles-street house pay 4*d.* per night, or 2*s.* per week.

Statement compiled from the Reports of the Society for Improving the Condition of the Labouring Classes.

		1850.	1851.	1852.	1853.	1854.	1855.	1856.	1857.
		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Bagnigge Wells.* Family Houses.	Receipts .	375 10 0	391 6 0	375 7 7	377 19 0	382 9 6	378 7 2	391 4 6	374 11 0
Outlay: Land, 1045*l.*, Building, 5325*l.* .	Expenses .	90 17 4	82 14 3	82 6 9	107 14 1	105 9 2	87 9 1	137 7 6	99 19 3
	Net Return	284 12 8	308 11 9	293 0 10	270 4 11	277 0 4	290 18 1	253 17 0	274 11 9
Streatham Street. Houses for 54 Families.	Receipts .	—	678 12 1	724 7 4	702 18 4	704 12 2	686 19 2	728 4 2	697 10 8
Outlay, 8916*l.* 16*s.* Ann. Gr. Rent, 50*l.*	Expenses .	—	235 14 1	224 18 1	297 17 5	276 2 0	284 5 7	339 0 6	257 3 1
	Net Return	—	442 18 0	499 9 3	405 0 11	428 10 2	402 13 7	389 3 8	440 7 7
George St.† Lodging-House for 104 Men.	Receipts .	615 10 8	628 16 0	618 11 4	615 15 4	613 1 8	611 11 4	610 15 4	608 13 0
Outlay: Land, 1200*l.*, Building, 5226*l.*	Expenses .	330 11 1	308 12 3	306 6 2	312 19 2	374 5 10	371 2 4	434 3 8	352 13 3
	Net Return	284 19 7	320 3 9	312 5 2	302 16 2	238 15 10	240 9 0	176 11 8	255 19 9
Charles Street. Lodging-House for 84 Men.	Receipts .	417 15 1	415 5 8	418 0 4	418 5 8	415 11 4	416 7 3	398 2 8	409 8 10
Outlay, 1163*l.* 14*s.* 2*d.*	Expenses .	226 15 9	221 18 1	233 5 2	231 14 3	249 9 9	228 10 2	271 5 7	225 0 0
	Net Return	190 19 4	193 7 7	184 15 2	186 11 5	166 1 7	187 17 1	126 17 1	184 8 10
King Street. Lodging-House for 22 Men.	Receipts .	119 12 8	115 0 4	111 9 8	104 19 4	107 10 4	108 16 4	100 0 10	88 19 4
Outlay, 135*l.*	Expenses .	79 12 5	78 18 5	73 13 11	75 14 4	100 17 8	77 11 7	76 9 0	62 14 5
	Net Return	40 0 3	36 1 11	37 15 9	29 5 0	6 12 8	31 4 9	23 11 10	26 4 11
Clear Return from the above Houses, exclusive of Repairs		—	1301 3 0	1327 6 2	1193 18 5	1117 0 7	1153 2 6	970 1 3	1181 12 10
Yielding on the Cost of the Building and Furniture, after deducting 4 per cent. on the cost of the Land . . .			5⅞ per Cent.	Nearly 6 per Cent.	Nearly 5⅜ per Cent.	Nearly 5 per Cent.	5⅛ per Cent	4¼ per Cent.	5¼ per Cent.

* Besides houses for 23 families, separate rooms for 30 widows or aged females form a part of this range of buildings, which was commenced in 1844. Although the returns of rent, &c., continue to appear in the annual reports of the Society, the buildings no longer form a part of its property, having been sold in 1856.

† In this house, commenced in 1846 for 104 men, who pay 2*s.* 4*d.* per week, a most remarkable improvement was noticed at the end of five or six years in the class of works read by the inmates during their leisure hours, one only amongst many evidences of beneficial results.

The amount of repairs is a question of such importance in deciding between the relative profit derivable from investments in new and old buildings, that it deserves to be noticed. The average repairs on the above houses, including their furniture, for the years 1850—3 was $\frac{3}{4}$ per cent. on the total outlay, but a small proportion of which was on old buildings. The amount of repairs in 1857, as stated in the last annual Report, shows an increased percentage on the then total outlay, as compared with what it was in 1850 to 1853, equivalent to an addition of three-fourth per cent. on the sum of 6700*l.* expended since the latter year on old buildings; from which it might be inferred that one and a-half per cent on the outlay ought to be allowed for repairs to old buildings. The expenditure on repairs by the Metropolitan Society for the past year was five-eighth per cent on the total outlay of 87,781*l.* 6*s.*, which includes comparatively but very few old buildings.

One practical lesson of much importance may be learnt from the preceding tabular statement, which is, the constant necessity for the exercise of watchful care over the numerous small amounts forming the items of current expenditures in such establishments. The net return may otherwise be considerably reduced without the existence of any justifiable reason.* An investigation made three years since, whilst I was abroad, led me repeatedly to urge this subject on the special notice of those who have had the management of the Society, as well as to press the continued use of an arranged system of detailed entries, and it will be seen that last year, doubtless owing to the more careful supervision of Mr. C. Payne, the present acting secretary, there is a considerable increase in the net return, although it has not yet risen again to what it was in 1852.

In common with railway, and indeed most other investments of capital in commercial undertakings, the amount of return is so greatly dependent on the management, that I have seen with no little surprise statements confidently made as to the relative profit derivable from the building of new, or the adaptation of old houses; whereas it would be easy to prove from experience that under different circumstances, and, in some cases, under those which are very similar, the advantage at the *present time* is in favour of the one or the other system, according to the judgment and the practical knowledge brought into exercise, as well as the watchful care in their management, both of which have more to do with the amount of return than the simple question of new or old building. With regard to *future return*, that may relatively depend on the operation of general measures for enforcing a good sanitary condition in all the dwellings of the poorer classes; which might be expected to have

* The increased Income Tax during the war accounts in some slight degree for the diminished net returns for that period, although it would not appear to have so operated with uniformity. The falling off of the net returns, as compared with those given in my formerly published statements, has rendered these explanatory details indispensable to the vindication of their accuracy.

very much the same effect on renovated dwelling-houses as the enforcement of the Lodging-house Act has had on the renovated lodging-houses in Westminster, previously noticed, though it would probably in but little or no degree lessen the return from well-constructed and conveniently arranged new buildings, the superiority and completeness of which will generally give them the decided advantage in competition with old buildings.

The Society for Improving the Condition of the Labouring Classes has expended, between 1854 and 1857 inclusive, about 6700*l.* in putting the houses which form three old courts into a good sanitary condition. The net return, without deduction of repairs, shown in the Report for last year was, on 3303*l.* expended at Wild-court,* Drury-lane, 259*l.* 13*s.* 1*d.*, being about 7⅞ per cent. On 1159*l.* 9*s.* expended at Clark's Buildings, Bloomsbury, 46*l.* 13*s.* 6*d.*, being four per cent. And on the expenditure of 2227*l.* 10*s.* 7*d.* at Tyndall's Building's,† Gray's Inn-lane, the Report states, 'It is confidently expected that a clear return of five per cent. will be made after every deduction.' Ten years previously the sum of 1298*l.* 14*s.* 2*d.* was expended by the Society in obtaining the lease, adapting, and putting in a good sanitary condition the two men's lodging-houses in Charles-street and King-street. The average net return, exclusive of repairs, from those two houses for the three years prior to 1853, was 227*l.*, as will be seen on reference to the preceding tabular statement, being seventeen and a-half per cent. on the outlay.

These results, drawn from the experience of a professedly model society, have too important a bearing on the extension of similar efforts to admit of their being passed over. The financial question is one, the importance of which must be evident to all reflecting persons, for unless the numerous societies latterly formed under the impulse of benevolent feeling can obtain sufficiently satisfactory results to encourage the further investments of those who may be willing, for such an object, to forego all expectation of pecuniary return, beyond that of the moderate rate of four to five per cent. interest, the direct sphere of their operations must be very limited, and altogether inadequate to the necessities of the case.

That some disappointment has in this respect attended the past operations of several of the societies, having for their basis what may be termed the united elements of benevolence and commerce, or business, is by no means surprising. Nearly nine years since, in addressing a scientific body, I had occasion to place on record the opinion expressed in 1844 by the late eminent builder, Mr. Thomas Cubitt, that 'the work undertaken is exceedingly complicated, and

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* The name of this court is but faintly descriptive of its former state.

† At Tyndall's Buildings such was the indescribable filth of the dwellings when my examination of them was made about six years since, that on returning home I was, to use an expressive vulgarism, 'as sick as a dog.' The very intelligent superintendent of works, Mr. Baxindall, in the discharge of the disgusting duties which devolved on him, became in consequence seriously ill.

one which could hardly be done well, and so as to make a profit as an investment.' This opinion, understanding that 'profit' here means something beyond a moderate* rate of interest, I must subscribe to. Some difficulties and disadvantages are attendant on most new undertakings, and I would therefore prefer passing over in silence the errors of judgment in connexion with this work, which have repeatedly come under my observation, yet, as their results have too often proved a serious impediment to its extension, I feel bound to say, in general terms, that with regard to the site chosen for new buildings, their position relative to the place of employment of the tenants, the cost of the land, or the rent thereof; and with regard to old buildings, the price paid for them, or the length of lease, their substantial condition, and those numerous contingencies which may seriously and unavoidably augment the estimated outlay necessary to put them into good condition, it is most easy for those who do not unite sound judgment and practical knowledge with their zeal for the cause, to commit very serious unintentional mistakes, and thereby to damage and discourage the extension of a work they earnestly desire to promote.

One department of the operations of the Society for Improving the Condition of the Labouring Classes has been fruitful to a degree not easily estimated; its publications are not limited in their circulation to Great Britain, but are now scattered in various parts of the world, either in their original text, in whole, or in part, or in translations, like seed carried by the wind, even across the Atlantic and the Pacific Ocean. In the United States considerable portions have been reprinted, and some fruit appears already in New York, where a large lodging-house, or 'Workmen's Home' for coloured people has been built to accommodate eighty-seven families, on the general plan of the Streatham-street House, and although 'at the opening of the 'Home,' and for some time afterwards, there was much disorder, disquiet, and even great indecencies of conduct, all these evils gradually disappeared under the genial influences of their improved physical condition; and now, a more orderly, cleanly, well-behaved community of tenants in humble life can nowhere be found.' One other building at least has already been reared in the heart of this city, superseding a den of iniquity called the Old Brewery,† a place

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* Whilst in several instances the returns from such investments have been fully equal to all reasonable expectations, it may be stated, that on the expenditure of over 200,000*l.*, made in the metropolis, for providing improved dwellings for the working classes, an approximate calculation shows the net average return, exclusive of the cost of general or office management, to be quite equal to the average borne by 'the aggregate of traffic receipts, to the aggregate of capital of 112,000,000*l.* expended on the nine great railways diverging from the metropolis,' as stated by the *Times* at 4 per cent.; whilst the average profits obtained by the original shareholders in those gigantic undertakings only amounts to about 1*l.* 12*s.* 6*d.* per cent.

† The published description of the former and the present state of this, worse than a London St. Giles's, is not only deeply interesting, but likewise very instructive for those who, though engaged in many efforts of Christian charity and missionary labour, have not yet learnt to appreciate the importance to the poor of a

described as having been, for well nigh half a century, the plague spot of the city. An association for building model lodging houses was formed in Boston in 1851, and the late much esteemed American minister, Mr. Abbott Lawrence, took with him on his return to the United States a complete set of the publications referred to, having previously had several copies for the use of his fellow-countrymen. Before, however, the benevolent intentions, which he himself expressed to me, could be carried into effect, death intervened. But by a legacy of 50,000 dols. for building model houses in Boston, his estimate of their value was manifested, as well as of their necessity, in a city where, by one of his friends who came to England in 1853, mainly for the purpose of investigation on this subject, I have been assured that they are as much needed as in London.

The published plans, &c., have also reached Australia and India, in both of which dependencies on the British Crown the work has been projected on an extensive scale, if it be not yet commenced.

Scarcely any foreigners who visited the Great Exhibition* of 1851, returned without examining the model houses of H.R.H. the Prince Consort, and but few left without carrying back to their several countries some of the publications which, with considerable pains, were there abundantly distributed. Of these, extracts translated into various languages, have been repeatedly shown to me by those who took a pleasure in acknowledging the source whence their information was derived.

The list would be long, and would embrace most of the Continental States,† were I to name all the places in which, to my knowledge, model houses have been built, and ameliorative measures adopted within the past seven years. In Berlin, H.R.H. the Prince Regent of Prussia‡ takes a lively and enlightened personal interest in the work, successfully carried on by a society, which Dr. Huber, for some years its secretary, states 'to have been the first on the Continent to follow the example given in England.' In Sweden, besides thirteen blocks of houses for families, built in different parts of Stockholm, one individual has contributed 200,000 francs for forming a cité ouvrière at Gothembourg, the rents of which are to be appropriated to the building in succession a series of similar ranges of dwellings. At Amsterdam there are three societies established, with capitals varying in amount from 200,000 to 300,000 fr. The rate of inte-

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healthy and well-ordered dwelling. The title of the work is the 'Old Brewery.' Stringer, New York. A kindred effort, recently commenced in the metropolitan St. Giles's, is hereafter noticed.

* Of the seventy-nine Council medals given to British exhibitors, two were awarded for objects connected with the improvement of the dwellings of the labouring classes. One of them being to his Royal Highness the Prince Consort, for the exhibition model houses, and the other to the Society for Improving the Condition of the Labouring Classes for their model houses, &c. &c.

† Besides other enlightened reforms recently adopted in Russia, the building of suitable workmen's dwellings, which are much needed in St. Petersburg, has been projected.

‡ Twice I have had the opportunity of witnessing the minute investigations on this subject made by his Royal Highness when in England.

rest which forms the basis of calculation of these, as well as of most of the societies on the Continent, is four per cent., although, in some instances, five per cent. is realized. In three of the industrial valleys of the Jura, as well as at Geneva, Basle, and other places in Switzerland, well constructed model houses have been built. Careful investigations in France lead me to concur in the opinion expressed by a very competent French writer, that the liberal encouragement given by the Government, in offering, to the extent of 10,000,000 fr. subventions of one-third the outlay, 'has, with some exceptions, been but indifferently seconded.' Amongst the earliest constructed, and most suitably arranged piles of model dwellings, is that built for 100 families in Florence,* where, recently an instructive lecture, entitled 'Della Abitazioni del Povero,' was delivered by the Marchese Carlo Torrigiani, who hesitates not to acknowledge whence the movement originated. Lest, however, any doubt arise as to the claim of England to the initiating this measure of social reform, I give the following quotation, in reference to the first and principal work which was published in 1850 by the Society for Improving the Condition of the Labouring Classes. M. Emile Muller,† architect to the cité ouvrière at Mulhouse, the most extensive and successful in France, said, in his introductory remarks to a report made to the Congrès International de Bienfaisance in 1856—'Cette œuvre, ce résumé didactique, est devenu en France, et chez toutes les nations representées ici, le point de départ, le guide sûr, le *vade-mecum* de ceux qui ont eu à se préoccuper de l'amélioration des classes laborieuses.'

My active participation in the management of the society just alluded to in a measure ceased in 1853, when the effects of over-exertion in its cause obliged me to go abroad. Responsibility for most of its publications and plans, which, though absent, I continued to revise and add to, as well as my official connexion as its honorary architect, dating from the year of its establishment in 1844, was terminated by the receipt of a letter of the 27th Dec., 1856, from the then newly-appointed honorary secretary, Mr. H. Harward, suggesting my resignation, and intimating that the Society's 'future operations in the opinion of the committee require that all plans for public works should be thrown open to free competition,‡ so as to secure the advantage of a variety of talent.'

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* Both the Grand Duke of Tuscany and Cardinal Antonelli personally expressed to me their interest in the object and desire to promote it in the States over which they have authority. Subsequently, in October, 1854, the Grand Duke issued a decree for enforcing under certain circumstances, the cleansing and rendering wholesome, dwelling houses actually let, or occupied by any other person than the proprietor. At Naples the shadow of foreign intervention and propagandism proved a barrier to all my efforts.

† Plans and much valuable information with reference to the cités ouvrières, constructed in France, will be found in M. Emile Muller's work 'Habitations Ouvrières,' &c. Dalmont, Paris, 1855-6.

‡ Whether a committee, unassisted by experienced professional advice, is likely to exercise sound judgment in the choice of sites, or in the selection of plans submitted in competition, is a question which may so seriously influence the success

As the services which I thank God for enabling me to render in connexion with this Society, and in other ways, for the improvement of the homes of the industrious classes, have been invariably gratuitous, I feel it a duty to give this personal explanation on the first opportunity presented since my return to England, and also to mention that the honour of being placed among the vice-presidents of the Labourer's Friend Society was declined three months after my resignation, mainly to avoid a continued appearance of responsibility without active participation in the management. My relationship to the Society has therefore for a considerable time been only that of an ordinary life member.

The length at which I have dwelt on the operations of the two societies formed in the metropolis has afforded an opportunity for several practical remarks, made with the hope of their being useful in the management of other societies.* So many of these have arisen since 1850, that, with a few exceptions, besides those in London, their names only can be mentioned, and this will be done, as nearly as I am able, according to priority of formation. Some which were projected are either dormant or have ceased to exist, owing to unexpected difficulties, or discouragements arising out of extraneous circumstances, to which any further allusion is unnecessary, beyond the naming of those which have impeded similar under-

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of other societies, that I should not be justified in leaving it unnoticed. The following statement of practical results, drawn from the printed reports of the two societies established in the metropolis, will perhaps afford the most conclusive answer to the question at issue. The Albert-street buildings, which accommodate 60 families and 234 single men, were built by the Metropolitan Society from plans submitted in competition, and cost 25,107*l.* 13*s.* 6*d.* Their net return last year was 523*l.* 11*s.* 5*d.* or 2¼ per cent. The Streatham-street and the George-street houses, which accommodate 54 families and 104 single men, were built by the Society for Improving the Condition of the Labouring Classes, from the plans which I prepared for the purpose, and they yielded, the year before I left England, a net return of 706*l.* 14*s.* 5*d.*, or 4⅜ per cent., after deducting ⅞ per cent. for repairs. The Soho Chambers were taken on lease by the Metropolitan Society, after they had been declined at my advice, by the Society for Improving the Condition of the Labouring Classes. Last year there was a clear loss on this property of 149*l.*, besides the interest on the outlay of 1422*l.* 7*s.* 7*d.* I believe it may be added that, with the exception of the Albert-street buildings, the directors of the Metropolitan Society have, in the entire arrangement and construction of all their new houses, taken competent professional advice, without a so-called competition, which in such cases it appears to me more wise to restrict to the building contract; a decision on that requiring only ordinary discrimination. I should not feel at liberty to give expression to these views but for my entire freedom from any personal interest in the question, and the fact of having long since stated in print what I believe to be essential elements of really good and suitable plans for houses intended for the working classes, viz., 'the most rigid economy of arrangement, consistent with accommodation sufficiently spacious to be convenient and healthy, and the utmost attention to cheapness of construction, consistent with durability and comfort:' points on which experience has convinced me that an ordinary committee is rarely competent to form a sound judgment.

* The numerous applications for advice in the earlier stages of this work, and the plans frequently given, apart from my official honorary duties, have led me to take a more than common interest in its development in England.

takings in other countries. I refer to the late war, and to the subsequent general financial embarrassments.

It is not my intention to notice in detail what has been done in Scotland, or to bestow more than a passing remark on the very successful operations of the association formed in Edinburgh in January, 1854, 'for Promoting Improvement in the Dwellings and Domestic Condition of Agricultural Labourers in Scotland,' a society of which Sir John S. Forbes, Bart., is chairman. Its four Annual Reports not only prove how clearly, in most respects, the system of publishing plans, specifications, &c., initiated in London by the Labourer's Friend Society, has been adopted, as well as many of their designs so modified as to adapt them to the peculiar wants and habits of the Scottish peasantry; but they also show in some degree the extent and beneficial effects resulting from the facility thus afforded for extending widely, under skilful advice, the construction of improved labourers' dwellings. The enlightened advocacy of this object by Dr. Guthrie, and the labours on its behalf by Dr. Begg, are well known.

Some of the model buildings in Scotland were constructed at such an early date as to entitle them to stand nearly, if not quite, at the head of the following list; and judging from the Report of the 'Pilrig Model Buildings,' near Leith Walk, much useful experience might be gained from a study of their management.

Proceeding, however, with my list, the first to be noticed is the extensive pile of buildings constructed at Birkenhead for the dock labourers, which provides accommodation for 324 families. On the plans for these buildings, before they were commenced, I was requested, in 1845, conjointly with Sir William Denison, R.E., and Mr. Toynbee, to express an opinion. Our report, which is in print, objects to the width of the avenues, as compared with the height of the buildings, and to the limited space allowed in the rooms,* particularly in the sleeping apartments. Experience has, I believe, shown that it would have been well, even in a pecuniary view, if these suggestions had been attended to, as the 'Morpeth Buildings,' not far distant, and in many respects similar, but much more airy and cheerful, are, I am informed, always well filled at 1*s.* per week higher rent, including a rate.

On the day of the thanksgiving for the removal of the cholera, in 1849, the Bishop of London recommended the appropriation of collections made on that occasion to the promoting of some well-considered plan for improving the dwellings of the poor. 2500*l.* was received from this source by the Labourer's Friend Society, and appropriated towards the construction of the Thanksgiving Model Buildings. In some parishes the amount collected was applied in

* This example may be a caution to those whose desire for cheap cottages would lead them to adopt plans much reduced in scale, in order to meet such a demand, and which are therefore obviously in a retrograde movement, and greatly to be deprecated. The practical suggestions made in Mr. Bracebridge's paper of last year point to a very different solution of this difficulty, the dimensions of the apartments which he has given being fully sufficient for health and comfort.

local efforts; such was the case in Chelsea, in Paddington, and in St. James's. In the first-named parish, the rector, the Rev. Richard Burgess, with others, established, in 1851, two of the earliest renovated houses for families, which have been an admirable example to those disposed to work for this object in a quiet and unpretending way. The houses are always filled with good tenants, on whom the most favourable results have been produced; whilst the shareholders receive about 12 per cent. on their outlay of 300*l.*, made on leasehold property for a short term.

The St. James's Sanitary Association, of which the present Bishop of Lincoln acted as chairman, was amongst the earliest formed in the metropolis; its first improved dwelling-house for families of working men was opened in New-street, in 1851. The Association also co-operated with Lord Ingestre in the commencement of the pile of dwelling-houses built near Golden-square for sixty families, and which were subsequently transferred to the Metropolitan Association.

The Windsor Royal Society, under the patronage of her Majesty the Queen and of his Royal Highness the Prince Consort, was established in 1852, and is now registered under the Limited Liability clause of the Labourers' Dwellings Act, 1855. On an investment of 6607*l.* 12*s.* 2*d.* in new model cottages, the net return last year was 352*l.* 19*s.* 4*d.*, nearly equal to 5½ per cent. on the outlay; while on 1032*l.* expended in adapting and fitting up an old building as a lodging-house for single men a heavy loss accrued, owing to non-occupation, which reduced the previous annual dividend of 5 per cent. to 4 per cent. To prevent this recurring, it is intended to appropriate the house to another object. The very moderate expense at which this Society is managed deserves imitation. I look back with pleasure to having given the plans for its first and principal range of cottages, which provide for twenty families, in tenements of various sizes, at an average contract cost of 112*l.* each, exclusive of stoves, road-making, fencing, and drainage. These plans have been lithographed and published by the Labourer's Friend Society, 21, Exeter-hall, London.

The Annual Reports of the Marylebone Association for the past four years, whilst conveying some idea of the benefits resulting from an expenditure of about 12,000*l.*, afford instructive lessons with regard to the difficulties and drawbacks in the way of a satisfactory financial result. One quotation with reference to *old property* taken in Lisson-Grove may be of practical use to others:—'The heavy annual rental to which the building is subject, and the large premium the directors had to pay, which enhanced its cost, and secondly, the low scale to which they found themselves obliged to reduce their rents—at least 25 per cent. below their original calculation,'—have, according to the last year's Report, had the effect of 'rather taking from than adding to the surplus funds of the Association.' 'The more full extension of the *benevolent* objects of the shareholders, and the influence these houses have had in leading other proprietors

to do something in a deplorably neglected neighbourhood,' are, however, an encouragement to the directors in their labours.

The Lambeth Association, formed at a meeting presided over by the Archbishop of Canterbury, has been registered under the Labourers' Dwellings Act, at a cost of 5*l.* 1*s.* 6*d.* Its first pile of dwellings, built on the south side of the South-Western Railway, under Messrs. Ashpital and Whichcord,* is arranged with external galleries, and accommodates thirty-two families. His Royal Highness the Prince of Wales holds 100 shares in this Society. In the same district, to the north of the railway, is another range of model dwellings for families, built by the Duchy of Lancaster at an expense of 16,000*l.* Their proximity to extensive gas-works impedes their being fully tenanted.

'The Strand Buildings Company,' of which Viscount Ingestre is Chairman, was registered in August 1857, under the Labourers' Dwellings Act of 1855, and has constructed in Eagle-Court, opposite Somerset-house, a well and economically-arranged pile of dwellings for twenty-five families, towards the cost of which Miss Burdett Coutts, by taking shares, contributed 1000*l.* Though the rooms are somewhat small, the suitability of the site, as well as of the buildings, does credit to the judgment of their architect, Mr. George Morgan, who is also honorary secretary to the society.

In the parish of St. Giles's-in-the-Fields and St. George's, Bloomsbury, through the influence of the present Bishops of Ripon† and Carlisle, a joint society was projected in 1855, and a considerable amount was promised for carrying out the much-needed improvements. In Kensington a society was also projected, under the patronage of the Duke of Argyll. But in neither case can results be referred to.

In Dudley-street, formerly Monmouth-street, St. Giles's, a work on a very modest scale has been lately commenced, and is encouraged by the rector of the parish. The visits of a female Bible *colporteur* brought to the notice of her lady-superintendent revelations of vice and crime which pointed so distinctly to their sources, in the domiciliary state of the population, that the latter has been led to establish, on a self-supporting principle, a dormitory for girls, in a house which, by an expenditure of 200*l.*, has been transformed from one of the worst in the neighbourhood into a suitable abode for twenty-four inmates. This number, barely sufficient to be self-supporting, with a nightly payment of only 3*d.*, or 1*s.* 6*d.* per week, may be increased to sixty-four by the addition hereafter of the adjoining house. In such an establishment the success must mainly depend on the fitness of the superintendent, and the wise supervision of one or more ladies. These requisites, in the present case, appear

* Messrs. Ashpital and Whichcord have published on the dwellings of the labouring classes, and also on baths and washhouses.

† The Bishop of Ripon, when Rector of St. Giles's, delivered to the Church of England Young Men's Society a very striking lecture on the physical condition of the London poor, from which the bearing of this question on the spiritual state of the people may be learnt.

to be combined, and to promise an example worthy of imitation, one which may silently prove of the greatest benefit, by leading not a few whose labours amongst the poor have hitherto been exclusively directed to their spiritual benefit, to discover that without risking any of the evils which too often result from the union of pecuniary relief with religious instruction, they may be instrumental in drawing many from those 'dens,' which are the hotbeds of vice and crime, and of transforming those very places into 'homes,' where Christian habits and feelings may be cultivated.

A very useful effort is now in progress in Bethnal-green, one of the poorest parts of the metropolis, where, at the sole expense of Miss Burdett Coutts, and involving an expenditure of 8000*l.* to 9000*l.*, a pile of suitable dwellings, 172 feet in length, and four stories high, is being built to accommodate fifty-two families. At the top is a covered area for exercise and a play-place for children in the day. Laundries, &c., are also provided in the upper part of the building. The architect is Mr. H. A. Darbisher, who built the Victoria Lodging-house for married soldiers, near the Vauxhall-road, which will be referred to hereafter.

Two companies have been recently projected in London, on a commercial basis, with large capitals—one, the Dwelling House Improvement Company, proposes to include within a much wider range the improvement of the dwellings of the poor; the other is entitled the Dwellings Company for Families with Small Incomes,* certified only in June last; it is under the patronage of the Lord High Chancellor, and has originated with members of the bar and solicitors, for the benefit especially of their law clerks.

The indication of growing attention to the question under consideration which is afforded by the establishment of these two last-named societies induces me to name them.

The society at Liverpool, which was formed in 1854, and is now registered under the Act of 1855, owing partly to adverse circumstances and to the preliminary expenses of a new undertaking, which fall heavily on the single pile of appropriate dwellings for forty families built in Northumberland-street, paid a dividend last year of not more than 3½ per cent.; whilst on a range of dwellings for twenty-three families, built some years since, after the general plan of Prince Albert's Exhibition Model Houses, in Upper Frederick-street, by the same architect, Mr. G. Williams, 4¾ per cent. net is realized.

There are also in Liverpool two model lodging-houses, which were fitted up and opened some years since, in Great Oxford-street, Scotland-road. Though quite distinct buildings, which is a disadvantage, they are under the same superintendent, and together accommodate ninety-six men. The average nightly occupation is ninety beds. The Rev. Cecil Wray states that, after three years' trial, he has proved

* Mr. Hugh Jackson, of 12, Essex-street, Strand, the honorary secretary to this society, has, conjointly with his brother, built a pile of family model houses for working people at Hampstead.

such institutions to be completely self-supporting, and capable of paying a large per-centage on the outlay.

The Huddersfield Improvement Commissioners have built model lodging-houses, in pursuance of the powers granted by their Acts of Parliament; and this, I am informed, is the only instance in which municipal authorities have erected model lodging-houses at the public cost, and out of improvement-rates. Provision is made for the accommodation of 221 men, 34 single females, and 12 married couples.

The Salopian Society is incorporated under royal charter, granted at about one-sixth the cost of that of the Metropolitan Society, with the advantage of its capital being divided into 5*l.* shares, and of extending its privileges to the eight adjacent shires. Their indefatigable honorary secretary, Dr. Styrap, informs me that the work of the Society commenced last year by building cottages.

The Hastings Cottage Improvement Society was established mainly through the instrumentality of Dr. Greenhill, with the fixed determination to spare no pains in securing the main object of benefiting the tenants, and at the same time not to discourage the good cause by a commercial failure. With an expenditure to the present time of not more than 2000*l.* in obtaining and putting old dwelling-houses in good condition, a dividend of six per cent. has been paid; and money is freely offered for extending the benefits of the Society's labours, which, judging from what I have seen, is simply that of putting the acquired property into the condition which any kind-hearted considerate landlord would desire for his own tenements; and this has been done with as little disturbance of the existing occupants as possible. The present capital of the Society is 3500*l.* Its operations are greatly benefited by the appointment of two visitors, whose duty it is to inspect the houses every fortnight. The formation of a reserve fund at the rate of one per cent. per annum, and also of a benevolent fund amongst the tenants, deserves notice.

At the following places, in addition to those already named, societies for improving the dwellings of the labouring classes have been formed, and, generally, have been in operation for some years—Ramsgate, Brighton, Dudley, Torquay, Newcastle-on-Tyne, Worcester, Bristol, Wolverhampton, Sunderland, Southampton, Red Hill, and Reigate.

In drawing this inquiry towards a close, by a notice of individual efforts for accomplishing the object under consideration, historic truthfulness, as well as those feelings of devoted loyalty which are happily common to us all, dictate an allusion to the example given by her Most Gracious Majesty the Queen. The royal patronage, with which two societies are honoured, as already noticed, has been accompanied by substantial proofs of interest in their success. His Royal Highness the Prince Consort, when presiding, more than ten years since, at the opening of the first model lodging-house built in London for working men, said that his 'feelings of a deep interest in these objects are entirely and warmly shared by her Majesty the Queen.' I may also

here again notice that his Royal Highness the Prince of Wales is a shareholder in one parochial society, that of Lambeth, in which parish also another considerable pile of workmen's family houses has been built exclusively out of the revenues of the Duchy of Lancaster.

In reference to the model houses at the Exhibition of 1851, belonging to his Royal Highness the Prince Consort, it may not be unsuitable for me to say, that it was entirely owing to the great personal interest taken in their construction by his Royal Highness that permission was granted to place them on the ground of the Cavalry Barracks, opposite to the Exhibition, notwithstanding an objection made by the then Commander-in-Chief, the Duke of Wellington, lest they should give rise to a feeling of dissatisfaction in the army, with the want of any accommodation for married soldiers; an evil which his Grace apprehended the country to be then unprepared to remedy.

The Marquis of Anglesea, whose consent was also required, mentioned this circumstance to me, and I refer to it now as affording the opportunity for noticing one of the indirect benefits which has resulted from his Royal Highness's interest in this object. Within twelve months after the Exhibition, a large and well-arranged lodging-house for married soldiers, containing fifty-four tenements, or 112 rooms, was commenced near the Vauxhall Bridge-road, by an association of officers of the Battalion of Guards. This, the 'Victoria Lodging-house,' though not paying a full rate of interest on the outlay, has conferred very important benefits; the appreciation of which may be judged of from the order given two years since by the then Secretary-at-War for building separate dwellings for the married non-commissioned officers and men of the Regiments stationed at the Chatham garrison, as well as for the Royal Engineers.

With regard to the efforts of our great landed proprietors, the paper communicated last year by the Rev. C. H. Hartshorne fully details what has been done by two noblemen, whose princely expenditure on this object is a manifestation of those kind and considerate feelings, as well as of that sense of duty to the labourers on their property, which are increasingly shared by very many others, and have led extensively to similar efforts, though on a smaller scale. About 70,000*l.* has been expended within the past eight or ten years by the Duke of Bedford in the building and improving cottages on his Grace's property in seven different counties; whilst the completion of what has been commenced by the Duke of Northumberland in building and improving cottages will, I have been assured, amount to 100,000*l.* The average outlay on the new cottages built by these two noblemen has been from 90*l.* to 120*l.* each.

The efforts made by some of our great manufacturers for the benefit of their workpeople have been fully in proportion to those just alluded to. Mr. Akroyd, M.P., in his valuable communication of last year, stated in reference to the dwellings of his 1000 workpeople at Copley Mill, that 'they are intended to be model cottages, fitted up with every convenience required in such habitations, each

having its garden-plot, and the whole well supplied with water. The village is also lighted with gas.' Like efforts have been made by many other employers of large bodies of workpeople, who, as Mr. Akroyd said, have done, and are doing their parts most cheerfully and energetically in the same direction. Mr. Titus Salt has built 400 dwellings for the people employed in his very extensive manufactory at Saltaire, near Bradford, the weekly rentals of which vary from 2*s.* 4*d.* to 4*s.* including the supply of water, but not gas, which is extra. Several large tenements built to accommodate fifteen or twenty lodgers in each, have been subsequently divided, in compliance with a general preference shown to lodging in groups of two to three with a regular family, where circumstances permit of it. At Camden-town, near London, Messrs. Pickford have built suitable dwellings for the men in their employ.

A very interesting account, published in a French, and also in an Italian Protestant Almanac, of the building a large number or entire village of labourers' cottages at Mowcop, in Staffordshire, on the borders of Cheshire, out of the savings of money which would have otherwise been spent in the beer-shop, has led me to ascertain that this was done mainly through the instrumentality of Building Societies, a description of association to which I have not made any special reference, under the impression that a higher rate is paid for money on loan thus obtained than can fairly bring their operation within the designation of benevolent institutions, although in some places they doubtless facilitate greatly the acquisition of house-property by the working classes. My experience, however, as to their operations and management has been much too limited to justify the expression of any decided opinion on their merits in this respect.

A plan, arising out of suggestions made by Mr. Frank Crossley, has been recently proposed at Halifax by Mr. J. D. Taylor, for providing workmen's dwellings on an extensive scale, which, if carried out, promises greatly to facilitate the building of suitable houses, and to aid the occupants of them in becoming their owners on easy and economical terms.

At the manufactory of Price's Candle Company, Bromborough Pool Works, near Birkenhead, seventy cottages have been built by the company for their workpeople on three different scales, varying in rents from 3*s.* 6*d.* to 6*s.* 6*d.* per week. The results of this effort have been so entirely satisfactory that, for the occupation of the people employed at their extensive establishment near London, Mr. Wilson, in addition to his other valuable and well-known schemes for their benefit, has projected a company for constructing at Battersea a large number of convenient dwellings on a plan intended to return six per cent. interest to those who find the capital, whilst the occupants will in every respect be benefited, and possibly have an opportunity afforded them of becoming the owners of their own dwellings.

The earliest individual effort in the metropolis for providing an improved class of dwellings for working people which has come under

my notice, was made by the Rev. Thomas Ainsworth, Rector of Kimbolton, who in 1841-2 expended about 3000*l.* in building in Black Horse-yard, near Rathbone-place, about forty tenements consisting of two rooms each, which have been let at 3*s.* 6*d.* per week.

The effort recently made at Shadwell by Mr. W. E. Hilliard, of Gray's-Inn, has been on a much more extensive scale; coming by inheritance into possession of a large number of miserable dwellings, he has replaced them by an entire street of considerable length, on both sides of which, houses for accommodating in the whole 112 families, have been built on the general plan of Prince Albert's Exhibition Model Houses, with an open staircase giving access to each pair of upper floor tenements. The blocks of four houses cost 487*l.* each, and after allowing for ground rent and all charges, the outlay has yielded upwards of six per cent. clear.

Mr. John Newson, a builder in Grosvenor Mews, near Berkeley-square, has built in that neighbourhood one pile of model houses, for the general arrangement of which, in 1852, I gave the plan, providing for the access to the tenements on the several upper floors by means of an open staircase and galleries. Mr. Newson lately informed me that he has now built five model lodging-houses, three in his own parish and two in the city; and that if money were advanced him at four per cent. on his depositing good leasehold securities, he would be pleased to carry out the views of those who desire to provide healthy and improved dwellings for the poorer classes.

Many diverse schemes have been suggested for building workmen's dwellings in large numbers out of London, and arrangements have been proposed for conveying their occupants to and fro by cheap railway trains. With a view to meet such suggestions, in a practical way, I am led to mention that last spring when in Paris I went to see, immediately without the Barrier, and near to the Place du Trône, an entire village all but completed, which has been built by a Parisian tailor for his workpeople. It comprises wooden houses or chalets for 76 families, 28 intended for single, and 48 for groups of families, each occupying a separate tenement, and having two, three, or four rooms. There are two spacious workshops; and, although some defects might easily be pointed out, an air of neatness and order gives the whole a very pleasing effect. Here the work, which is sold in the very heart of the city, and has hitherto been done by workmen residing with their families in miserable, unhealthy, and, at the same time, high-rented dwellings, will be done under the advantage of abundant light and pure air, to say nothing of the benefit which the workman, in common withhis family, will derive from ready access to the Bois de Vincennes. Why, I would ask, should not such an idea be adopted by hundreds of those who, in our own metropolis, and in other large cities, have in their employ numerous workpeople similarly circumstanced; the daily journey of a foreman, or more frequent intercourse if necessary, between the place of work and of sale, would surely be more economical as to time and railway fare, as well as answer in every other respect the

purpose of the whole body of workpeople coming to the place of sale and returning daily. I have suggested the experiment to a very intelligent master tailor in Southwark, whose successful efforts of various kinds for the benefit of the men in his employ have attracted the notice of many persons, as they did mine, but very recently.

Having spoken of what has been done by landed proprietors and manufacturers, I must now allude to efforts made by our merchants for providing improved dwelling accommodation for those who are dependent on them for their living. And perhaps some qualification of a statement previously made with reference to the first model houses built in London may be required, when recognising the Sailors' Home,* near the London Docks, opened in 1835, as being the first model lodging-house built for men. It contains the most ample provision for 300 sailors, and has been the prototype of many similar buildings at different seaports in England, including Liverpool, where, in a building every way worthy of the commercial rank of the town, excellent lodging is supplied for 400 men. A greater boon could not have been bestowed on our own merchant seamen, as well as on thousands of foreigners who gladly avail themselves of its English comforts and the protection which it affords from physical and moral evil.

But our merchant princes have a responsibility resting on them with regard to many in a similar station of life who are not seamen, and I will venture to ask in the wealth-accumulating town of Liverpool, has duty in this respect been discharged? have those employed in their docks, in their warehouses, and on their railways, been left entirely to shift, and do the best that they can for themselves in regard to their dwellings? The late Mr. Abbot Lawrence, a distinguished Boston merchant, as well as ambassador from the United States, has in this respect set the noble example I have already instanced. Two eminent Liverpool merchants, Mr. Rathbone and Mr. Cropper, at a public meeting held four years since, manifested their interest in the object, as well as their conviction of its urgent necessity. Some sentences uttered on that occasion by the former gentleman found so perfect an echo in the forcible language used last year at Birmingham by the Rev. Sydney Turner, that I cannot here refrain from quoting his words—'We have a right to say it is a mockery to ask God to keep us from the pestilence that walks in darkness, and the sickness that destroyeth at noonday, if we allow the fœtid nuisances and the *filthy dwellings* which breed disease and misery among us. It is a mere self-deceit to preach virtue and denounce vice, while we tolerate the condition of scores of both, in our town and country districts, where we know that promiscuous inter-

* In the same street is another building exclusively for destitute sailors, the plans for which I had the pleasure of furnishing in 1835 to its founder, the late Captain James Elliot, R.N. Recently a home for Asiatics has been built near the docks at Limehouse.

course and shameless exposure must deaden every sense of decency, and make licence and brutality the normal state of their inhabitants.'

Before closing it will not be out of place to refer to a means of improvement, through individual effort, as yet but little thought or spoken of, I allude to what may be done by the labouring classes themselves.* Something certainly lies within their own power, and it was with a view to promote the development of this latent talent that two years since, when attending the International Philanthropic Congress held in Brussels, I proposed, and had the satisfaction of seeing the following resolution unanimously adopted :—'The Congress declares that it is of public utility that the working classes be enlightened by all possible means in regard to the improvement and the keeping of their houses in good order. It declares that the instruction of the young, in the labouring classes, ought to comprise all which relates to the cleanliness of their persons, and of their dwellings, to the benefits resulting from good ventilation, and the evils arising from humidity. Lastly, it thinks that the study of the science of preserving health is one which ought to be rendered accessible to all.'

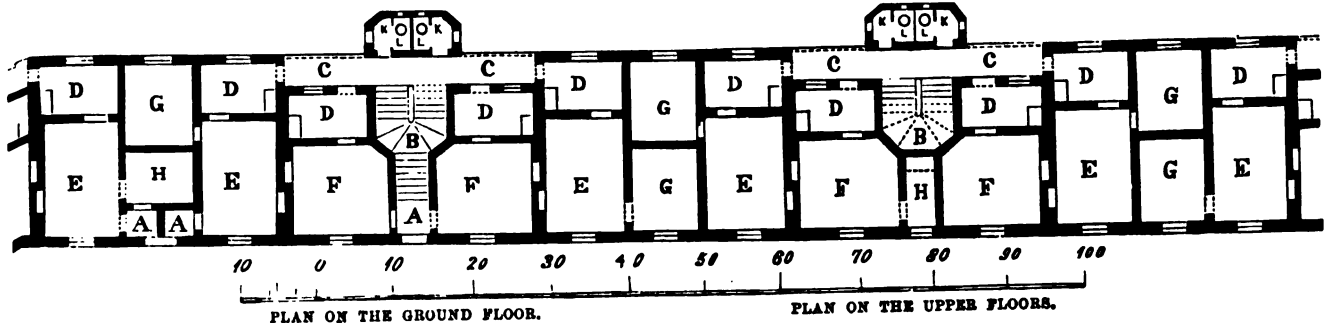
The system of open staircases, with external galleries, for giving access to the upper floor tenements of houses occupied by a number of families of the labouring population, referred to at page 596, and which was carried out under my direction at his Royal Highness Prince Albert's Exhibition model-houses, now in Kennington Park, affords such advantages, in rendering the tenements completely distinct, preventing the communication of infectious diseases, and entitling them to exemption from the House Tax, that I am induced to offer a plan for its application to a lower and cheaper class of tenements than those in which it has yet been used. Architects and others who have not studied this subject much, may find the plan suggested of service in aiding their labours, and it is with this view I present it to the Association, remarking only that, whilst sufficient sleeping accommodation to secure a separation of the sexes is, with a family, of prime importance, it may prove worse than useless where there are no children, or where the rent would inevitably be thereby increased above the means of those whose benefit is intended. In the latter case, where only two rooms can be afforded, the beds may be screened by dwarf moveable or fixed enclosures.

I also give a plan for dwellings suitable to the higher paid class of working people in thickly populated towns, where the cost of land usually renders it impossible to provide them with self-contained houses.

* Several publications designed to inculcate such habits may be instanced; amongst them, 'The Household Tracts,' by Jarrold and Sons, 47, St. Paul's Churchyard; 'Household Economy,' by Miss Brewster, in Constable's Educational Series; 'A Manual of Domestic Economy,' published by the Home and Colonial School Society, London; 'Home Reform,' an address to working people on the improvement of their own dwellings, published by the Labourer's Friend Society, 21, Exeter Hall. This tract has had, in translations, a wide circulation on the Continent, and its reprint by any publisher is permitted.

Plan for healthy and cheap Dwellings in large Towns, adapted to Families in the lower-paid class of the Working Population.

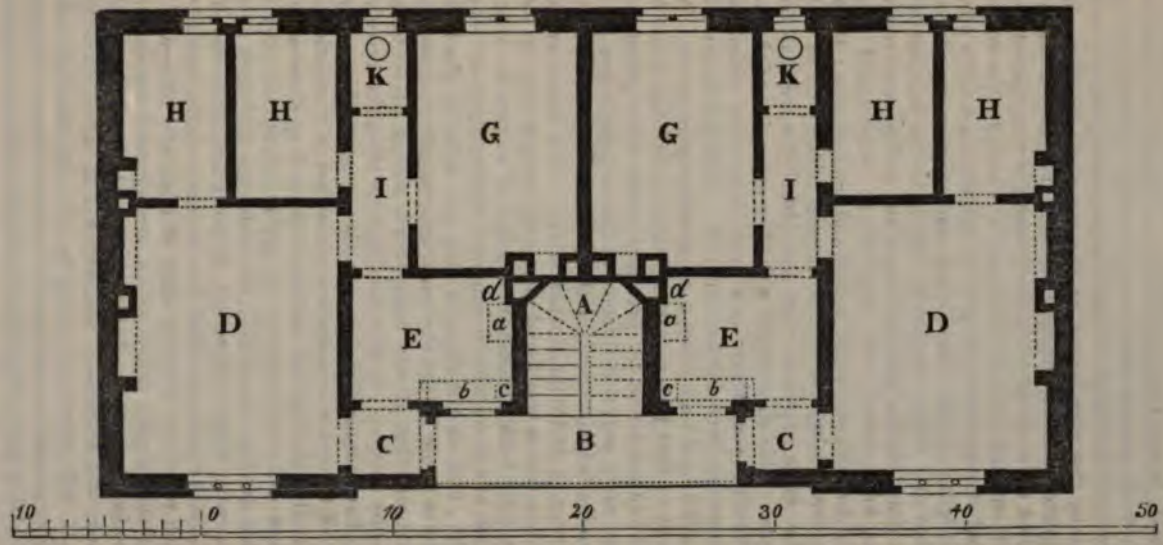
The Tenements are arranged with open Staircases and Galleries, each of which gives access, on every story, to four sets of apartments, all of them comprising a Kitchen, with one, two, or, if desired, three Rooms, of various sizes.



A. Entrance Lobby on Ground Floor.—B. Staircase.—C. Open Gallery.—D. Kitchen, forming the Entrance on the Upper Floors, and fitted with Cooking Stove, Sink, Ventilated Meat Safe, &c., under the Window.—E. Living Room, 15 by 10, with space for a bed.—F. Living Room, 13 by 12, with space for bed.—G. Bed Room, 11 by 9.—H. Small Bed Room.—K. Lobby with Dust Shaft.—L. Closet or Privy.

Plan for Dwellings in thickly-populated Towns, adapted to the higher paid class of Working People.

The general arrangement resembles that of His Royal Highness the Prince Consort's Model Houses in the Exhibition of 1851, with modifications suggested by subsequent experience.



A. Open Staircase of Slate.
B. Open Gallery of Slate.
C. Entrance Lobby.
D. Living Room.

E. Kitchen fitted with—*a.* Cottager's Stove; *b.* Sink and Plate-Rack. Coal-box under; *c.* Ventilated Safe; *d.* Dust-shaft.

G. Parent's Bed-room.
H. Children's Bed-rooms.
I. Passage.
K. Water-closet.

Notice of the Leeds Model Lodging-House. By MR. BECKET DENISON, *referred to at page* 590 *of the preceding paper.*

The Leeds Model Lodging House was opened in April, 1851, and fitted up with seventy beds to start with. The house was formed out of some old buildings situated in the worst part of the town, and inhabited by the very lowest of the population; they were almost entirely gutted and re-arranged inside. The object was to raise up in the midst of, and out of the habitations it was desired to reform, a house without any external pretensions, which, by the convenience of its internal arrangements, its good management, and its cheapness in cost of lodging, might draw away as many as possible from the abominable and filthy abodes by which it was surrounded, and, at the same time, yield a fair profit upon the outlay made upon it. The principles upon which the experiment were based were shown speedily and constantly to be sound and correct ones; the house was filled in a few weeks, and even at the end of the year in which it was opened the gross expenses were considerably more than covered by the receipts. This encouraged a further extension of the house, and in the following year thirty-two more beds were added, and a new and more commodious kitchen erected. Still the demand increased, and the additional beds were soon constantly occupied. In the following year to that just mentioned, an attempt was made to provide a suitable house for women, precisely on the same principle, and also under the same superintendence as the lodging-house for men, the superintendent's house dividing the two buildings; every two women had, however, a bedroom to themselves. This house was kept open five months; but it was found necessary then to close it, as not only did it not meet with a sufficient number of women to appreciate its advantages, but those who frequented it were most of them so unmanageable, and so unwilling to obey the rules of the house, which were just the same as for the men, and merely to keep good order and behaviour, that it was found quite useless to continue the experiment any longer. In this locality, therefore, the experiment may be said to have totally failed as regards women. The money was not, however, all thrown away, because somewhat in the anticipation that women would continue to maintain their long-since acquired character when collected together in any numbers, and that in consequence this attempt would fail, the bedsteads had been so contrived, that by a very slight alteration, those which had served for two women together were divided into separate beds, one of each was left in each room, for a better class of men, at a charge of 4½*d.* per night, instead of 3*d.*, under which arrangement twenty-one rooms were provided—every man having a room to himself—which, with a sitting-room and a kitchen, formed what is called 'The Mechanic's Home.' It will be seen at once, by any one who understands the subject, that so small a number of this better class of lodgings, at the charge of 4½*d.* a night, could not by itself maintain a superintendent and servants; but under the arrangement above described, the same superintendence was sufficient for both houses, and only one more

servant was required; so that the two houses together continued to pay a very fair return on the outlay, and were also quite satisfactory in other respects up to the breaking-out of the Crimean War. The demand for accommodation had continued so steadily to increase, that towards the end of 1854 a further addition was completed to the model lodging-house of a larger sitting-room, and two more bedrooms, making in all 120 beds. But unfortunately, just when this addition was commenced, the war broke out, and the sudden and numerous demands for soldiers caused such a drain on the manufacturing districts, that the number of regular occupants of the model lodging-house was considerably diminished; and as long as the war lasted, the two houses only paid their expenses—which, however, they always did, although there was nothing over for profit. The writer of this paper was so struck with this remarkable effect in Leeds, that he determined to ascertain what was the case in other large towns, and he accordingly issued a circular to all the model lodging-houses with which he was acquainted, and to the chief constable of many large towns, making the inquiry; the returns he received from every town fully convinced him that the cause to which he had attributed the falling off in the numbers of the occupants of the Leeds houses was the correct one; and he received a further confirmation of this upon the disbanding of the first militia regiment in the West Riding, when there began to be an immediate increase in the number frequenting the Houses, and that has gone on steadily until the present time. During the last year, 1857, eleven more rooms were added to the 'Mechanic's Home,' as the demand for this better class of lodging seemed to increase with better times.

The receipts from the two houses together, that is, from the one with 120 beds at 3*d.* per night, and the other with 31 at 4½*d.*, average nearly 13*l.* per week, and the weekly expenditure about 6*l.*, besides which the rent of the houses is little over 100*l.* a year, and there are also charges for gas and local rates, and some other small things, which do not come under the head of weekly expenses. The balance remaining for profit, after deducting a fair allowance for depreciation of stock, as well as for replacement of capital, in good times always yielded upwards of 5 per cent. on the outlay. The whole outlay made on these houses, including a provision shop for the use of the inmates and the public, but let to an independent person, has now reached about 1,800*l.* and as there are no facilities for increasing the accommodation in this particular locality, it is probable that the whole is now finally completed, and that, in railway parlance, the capital account may now be said to be closed, although, judging from the present demand, more accommodation is still required.

The writer mentions, for the guidance of others, that it is not to be assumed that because such a house is not constantly full, there is no need for further accommodation, because he has always found that the average number of occupants, through given periods of time, has been from ten to fifteen less than the number of beds provided; but that immediately upon the completion of every addition the former

number of beds, and more, were constantly in use—apparently, almost, as if the public outside knew what number of beds were at their service. It may be interesting to mention, that of the occupants of these houses, a proportion of about one-fourth, or rather less perhaps, change every night; about one-half stay there for a week to a fortnight at a time, but are constantly returning afterwards; and the remainder for a longer period. Some half-dozen, or more, have been there constantly for seven and-a-half years, while others have been inmates a greater portion of the time. The people who go there are for the most part persons seeking work from town to town, those in the 'Mechanic's Home' being chiefly men in good employ, or broken-down tradesmen. The healthy state of these houses is shown by the fact that there have only been six deaths in them since the first opening, and most, if not all, of these were men who were at death's door when they came in, and who never moved from their beds after they had got to them. Moreover, during the time of the cholera, not a single case occurred in either house.

As to the moral effects these lodging-houses may have had upon the persons who have frequented them for some years regularly, the present writer has not much to say, except that it stands to reason that every man who has been there for some time must have been of steady habits, otherwise he could not have remained, while there have been cases not a few of men who have been unsteady when they first went, and who finding that they must behave themselves as a condition of their being allowed to remain, preferred giving up their bad habits rather than give up their lodgings. If, however, there be any truth in the adage that cleanliness is next to *good*liness, the effects, in this respect, of a man's living there cannot but be beneficial to him. During the evenings of two winters, an attempt was made to give the inmates the means of instruction in reading and writing, but the pupils were so few, although the instruction was offered at a trifling charge at one time, and gratis at another, that it has been discontinued.

The writer has only to say, in conclusion, what he has said before repeatedly, that the success of these establishments depends in great measure upon the superintendent, who ought to be a man of peculiar qualifications, and to be selected with the greatest care. The superintendent of the Leeds House, Mr. Raisbrick, has been there from the beginning, and he is peculiarly qualified. But, moreover, their success in a further measure depends also upon the frequent supervision of some *gentleman*, who really takes an interest in the subject, and understands it, for the sake of encouraging and supporting the superintendent in his difficult office, and there is no doubt of its being both a difficult and a laborious one, as well as for keeping a check upon him, and preventing his acting in too independent a manner towards the lodgers.

Houses of the Working-Classes of Scotland. The Bothy System. By JAMES BEGG, D.D., Edinburgh.

IN so far as the towns of Scotland are concerned, there are no features of very marked peculiarity. The same physical degradation which characterizes districts of all the large cities of Britain perhaps reaches its maximum in some parts of Edinburgh and Glasgow, and the Scotch workman has not the same inducement to bestir himself in acquiring a house of his own which has led to such admirable results in connexion with the freehold-land movement of Birmingham, inasmuch as the forty shilling franchise does not exist on the other side of the Tweed. Very much remains to be done, but the state of towns has often been discussed, and it would occupy too much of our time to dwell on this part of the subject. The matter is very much in the hands of the workpeople themselves. All that can be done is to help them to help themselves. If they were to drink less, and spend their half holiday in a combined effort to erect dwelling-houses for each other, our artisans might soon be greatly elevated and be each landlord of his own house. But without self-denial and individual and combined effort, matters may be expected to become worse and worse.

But very marked peculiarities come out in connexion with the rural districts of Scotland, where the most advanced farming in the kingdom and the highest rents are often coupled with the lowest state of physical comfort on the part of the working men. So uniform has this result been, that some have framed a theory to the effect that large farms and improved cultivation are necessarily connected with human degradation. Such a theory would strike at the foundation of human progress, and cannot be true. It is found that the physical comfort of all other animals keeps pace with improved agriculture. The stables, cowhouses, and pigsties are all immensely improved in connexion with improved agriculture. The dwellings of the farmers themselves are much more elegant and comfortable than in former times, and there is no reason in the nature of the case why the farm labourer also, by whose skill and toil the whole progress is chiefly maintained, should in the meantime be suffered to sink into deeper misery. Justice, generosity, and the public interests all require the very opposite, and the idea in question is only a lame excuse for a palpable wrong. The real origin of the evil is in the fact that men bear no pecuniary value, and that farm servants can be wronged with apparent impunity. The landlord is often an absentee, and cares only or chiefly for his rent. The farmer attends to his own comfort; and the consideration that if his cattle are killed by bad ventilation, he must buy new ones, makes him sensitively alive to their comfort. But the degradation of men, or their sinking by disease into premature graves, has, on the contrary, no immediate pecuniary result. There is no penalty for their diseases, and if men die, new ones are got for nothing. It is a melancholy thing to think that in this free country, ploughmen

would often be objects of far greater anxiety if they could contrive to acquire a marketable value like the inferior animals.

Through most of the Lothians the ploughmen, till lately, had only one apartment for a whole family. The poet Burns, in coming from Ayrshire to Edinburgh, remarked this as a sad result of improved Scotch farming, more than half a century ago. The writer of this paper was for eight years minister of one of the richest parishes in Mid-Lothian, and when he went there, in 1835, although the average rental was about 5*l.* an acre, there was not a ploughman's house with more than one apartment, and some of them were so frail that he was told by the people that the bedposts were the only props to the roof, and that they were afraid to take down their beds lest the whole concern should tumble about their ears. In these miserable huts, sometimes worse than Indian wigwams (which the author has also seen), there were occasionally five and six children besides the parents. There they all dwelt in health and sickness. When infectious disease invaded their dwelling, there could still be no means of separation; even the dead could not be separated from the living till the funeral. Matters are improved of late in that district and elsewhere, in consequence of a considerable amount of agitation, and the good feeling of some leading people; but in other high-rented districts the case is still as hopeless as ever.

Bad, however, as this is, it is as nothing in comparison with a monstrous system, which has sprung up in some of the northern counties of Scotland, and which is generally known as the 'Bothy system.' Setting all moral considerations at defiance, it has been made a matter of short-sighted calculation, that unmarried ploughmen will be more easily maintained than men with families. Whilst in the Lothians, therefore, one hut is made to hold a single family, in many of the northern counties the same miserable apartment is made to hold six or seven grown-up ploughmen, so that in some counties as many as five, six, or seven hundred of such men are thus accommodated. The villages have been swept away, and the respectable families of people expatriated to make way for such large farms, worked by these bachelor colonies, the leading object being to raise the greatest amount of rent to the landlord at the smallest possible outlay. These men are hired from term to term in the open market: their bothies are almost as unfurnished as the stables for horses; their chief food is raw oatmeal mixed with hot water, and a little milk, and, as a general rule, they are left as destitute of moral control and supervision as they are of all domestic comfort. Cases of extreme hardship sometimes arise. Last year a man left his place and bothy because he had no bed and no fire, and was forced, in winter, to eat his oatmeal mixed with cold water; but the sheriff decided the case against him, and fined him for leaving his employment even in such circumstances. The system, in short, is as near an approximation to the slave system as the laws of this country allow. The main difference is, that the men are not bought and sold, and even this is (apart from theoretical considerations) a questionable advantage. What crowns the evil is, that about the

same large farms with these unmarried ploughmen are sometimes employed a corresponding number of unmarried women, and they are sometimes lodged in a similar hut or bothy. There are a number of such female bothies in various parts of the country, and one case occurred last year, in East Lothian, in which a double bothy was brought to light—a colony of Highland girls living upstairs, and a colony of Irishmen below. There is every reason to believe that the system is spreading.

It might have easily been anticipated that such violations of all social propriety would lead to the most lamentable results, and the undoubted fact now is, that, for the sake of a paltry saving, some who formerly ranked with the finest peasantry in Britain are in the way of being forcibly reduced to the lowest social and moral state. It has long been known that the bothies were scenes of obscenity, drunkenness and Sabbath-breaking; but the late returns of the Registrar-General have demonstrated that the bothy districts are hotbeds of profligacy, and that the counties of Scotland in which that system prevails, present by far the highest average of illegitimate children in Scotland. Aberdeenshire stands at about nineteen per cent., being nearly every fifth child a bastard, and the table lately issued by the Registrar-General proves that the north-east section of Scotland, being the chief seat of the bothy system, is also the chief seat of bastardy.

The question is, how is all this to be remedied? There are two difficulties in the way. An unsound theory has been put forth in regard to the possible improvement of bothies. The system cannot be improved. It is essentially wrong. Anything that makes the family system impossible can only lead to evil, and that continually. The bothy system, therefore, must be extirpated, and ploughmen allowed to marry, and this we are persuaded will require the strong hand of the law. Besides, many of the proprietors of Scotland hold their estates under a strict entail, and by a recent decision of the Court of Session, in the case of Mrs. Mary Dunlop, it has been found that building houses for working men does not constitute a permanent improvement for which an estate can be burdened. Dog-kennels may be built, and if a house is necessary for a man to look after the dogs, it may be provided, but not houses for ploughmen. Some legislative enactment is therefore necessary, and it would go far to remedy the evil in question, if either bothies were at once prohibited, or if, as Hugh Miller suggested, a heavy tax were laid upon them. But the simplest and most effectual remedy would be, to empower entailed proprietors to erect workmen's houses, and failing this, all farmers to erect at once as many workmen's houses, consisting of at least two or three apartments, upon their farms as they require to employ ploughmen and labourers, and to retain the price when they pay their next rents. This would simply be an extension of a well-known principle, —that tenants are entitled to make necessary repairs, and to charge the price to their landlords. It would probably remedy nine-tenths of the evil in two or three years, and would only diminish the vast incomes of some of our large proprietors by the price of some unnecessary luxury.

The Parliament has interfered in regard to mines, manufactories, emigrant ships, and lodging-houses, and there seems no reason why it should not interfere to protect our agricultural labourers, the sons of toil—a race which forms the very backbone and sinew of the community. Nay, the interests of agricultural labourers ought to be more dear to our legislators (most of whom are landlords), than those of any other class, and if ever a day of invasion comes, they will find that their anxiety on this subject has not been misplaced.

On the other hand, the present shameful state of matters is spreading like a canker throughout the whole community. It is filling the towns with pauperism, and, whereas in former times the deterioration of cities was supplied by a pure stream of healthy and moral life, flowing in from the rural districts—the rural districts are gradually becoming more degraded and debased than the cities themselves.

On Statute Fairs: Their Evils and their Remedy. By Rev. Nash Stephenson, M.A.

As one leading object of this influential Association is to hold up to publicity the existence of social evils, and at the same time to guide the public mind to the best practical means of promoting their prevention and suppression, I take the occasion of this present meeting to draw the attention of the landed interest of this country, or rather, I should say, of the community at large, to a deep-rooted and wide-spread evil that is ever undermining the morality of our agricultural servants, and is highly detrimental to the interests of those whom they serve.

The custom to which I allude is that of hiring farm-servants at statutes or fairs; a custom which exists to a very considerable extent in England, and obtains also in Scotland and Wales.

As the nature and character of these fairs, and their concomitant evils, may not be known to some whom I address, it will be needful that I should first attempt a description of what takes place on these occasions.

The in-door servants employed in farm-houses or in husbandry on the farm are invariably engaged for the period of a year, and are usually bound from Michaelmas to Michaelmas. The effect of this certain and lengthened period of service is to produce a desire of change on the part of the employer and the employed. To so great a degree is this desire of change carried, that farm-servants, as a rule, annually change their situations, and enter on a fresh service, not, perhaps, from any aversion to their employer, nor from any expectation of pecuniarily improving their condition, but from an innate feeling that their term of bondage has ceased, and that, therefore, they are bound to avail themselves of their release, and to seek employment elsewhere.

The statutes, or mops, or hiring fairs for these servants, are mostly held in September or the commencement of October. The origin of some of them is lost in antiquity; but in Warwickshire and in other parts they are not of more ancient date than seventy or eighty years, and many have originated within my own recollection. I believe that they may mostly trace their origin to the activity of some enterprising publican, who, for his own profit, has advertised the establishment of statutes in his own village, and, as an inducement in the outset, has announced the tempting bait of a roasted ox which is to be gratuitously distributed amongst all who may attend.

On the appointed day, and at the appointed time and place, all the unengaged boys and girls within a radius of many miles may be seen collecting, smartly dressed out in their Sunday clothes, and cheerily welcoming the arrival of some recently found friend. Thither likewise flock the masters in quest of servants, and at noon the business of the day commences. The lads notify the employment they are in search of by some significant emblem in the hat. The carter displays a bit of whipcord; the cowman, a bit of cowhair; and the shepherd a piece of wool. In some places the lads are ranged on one side, the girls on the other side of the street, while the employers traverse the middle, and scrutinizingly scan over the physical qualities of such as come to be hired. As in the slavemarket, the master regards and appreciates the articles he is in quest of only in a marketable and commercial point of view. Flesh and blood, thews and sinews are the commodity he requires, and as bone and muscle are developed, so will be his eagerness to engage, and the price he will be willing to pay. A few brief interrogatories as to qualifications and requirements close the agreement. In the great majority of cases no questions as to character are asked on either side, or references required. In fact, as the statute's day presents to the surrounding district the solitary occasion when the various parties can supply their wants, the opportunity for inquiry becomes next to impossible. Whether the parties contracting be drunken or sober, profligate or virtuous, are elements that do not enter into the consideration, and would appear to be to each party a matter of supreme indifference. Strength on the one side, and wages on the other, decide the bargain; and on the spot, then and there the contract is signed and delivered by the payment of a shilling, 'Earnest money,' or 'God's-penny,' and the parties are bound together, by a special provision of the law, for the protracted period of a twelvemonth, with scarcely the possibility of a legal release.

It would be well were the legitimate and ostensible objects of the statutes the only inducements that draw persons thither. But, for the sake of the rioting and drunkenness that ensue, to this spot likewise are drawn the idle, the profligate, and the abandoned of the surrounding district, and for the purpose of plying their nefarious trades, thither also assemble the professional thieves and prostitutes of the neighbouring towns. In dealing with a subject that vitally affects the temporal and eternal interests of thousands of our rising generation

it would be cruelty and sin to conceal the truth, or gloss it over through feelings of false and misplaced modesty. If the evil is to be cured, the disease must first be probed to the bottom, and the most rotten parts must be exposed and brought to light. It is a fact that I will substantiate, that in many cases the employers of female servants are known to look for something besides strength of limb and aptitude for work, and to make their selection from the assembled females with a view to the gratification of their own unhallowed desires. For even worse purposes procuresses attend these meetings, and wile to their lodgings the heedless, simple country girl, and eventually induce her to become a child of hell, like themselves.

When the *business* of the day has drawn to a close, the *pleasures* of the evening commence. The inexperienced lad and lass, with the fruits of their last year's labours in their pockets, are naturally led for the purpose of refreshment to the neighbouring public-house. The place is filled to suffocation with visitors—all in the heyday of youth—most without moral control, and all without the control of masters or betters, or parents or elders in life. To the stupifying effects of tobacco are added the intoxicating consequences of deleterious beer and spirits, and the maddening results of music and dancing. Each female selects her male companion for the evening, whose duty it is to see her to her distant home at the close of the amusements in the darkness of the night. Decency forbids me from entering into further details, and I cannot picture to you the proceedings of the night to its close. The ordinary restraints of the lowest dregs of society are scarcely observed; and, in the nineteenth century, and in civilized, enlightened, Christian England, scenes of iniquity may be witnessed that would defile and degrade the most debased of the heathen nations of the earth.

These are startling and sweeping assertions to make, and such as should not be put forth unless they can be supported by the testimony of many and unimpeachable witnesses. Unhappily the evidence that can be adduced is too abundant and too conclusive. In an interesting tract on the subject, by the Rev. G. J. Chester,* are appended communications from Superintendents of Police in the counties of York and Durham, all denouncing these statute fairs in the strongest terms as the fruitful source of drunkenness and immorality. I have received letters from the heads of police in my own neighbourhood, the counties of Warwick and Worcester, which fully bear out the assertion I have made with regard to the greatness of this evil. Mr. Humphries, superintendent of police, Kingsheath, after sixteen years' experience, writes—

'I believe statute fairs to be one of the greatest evils in existence. I have seen married and single conducting themselves with the greatest impropriety, and young girls, or rather children, stopping all night dancing and drinking, and allowing most indecent liberties to be taken

* 'Statute Fairs: their Evils and their Remedy.' By Rev. G. J. Chester. Whittaker, London.

with them. Indeed, I have, upon several occasions, heard cases of affiliation before the magistrates where young girls have dated their ruin from the statute fairs.'

Mr. Wild, superintendent of police, Solihall, after seventeen years' experience—

'I consider statutes a great curse to society, for they are the resort of thieves, prostitutes, and sharpers. In several instances I have known young men who in the morning received their yearly wages, have gone to the statutes, and been robbed or cheated of the whole of their earnings, leaving them nothing to pay their bills with, or take to their parents or friends. This has caused them to run away and connect themselves with bad company, and eventually become thieves themselves. Young women, again, stay late at the public-houses, become elated with drink, and hence a great deal of immorality on the road home. The abolition of these statutes will be a benefit to society.'

Mr. Harris, inspector of police, Henley in Arden, after twelve years' experience—

'I have had every opportunity of witnessing the demoralizing effects of the statute fairs in this neighbourhood, and have always considered the system bad in itself, as encouraging drunkenness and other crimes, and tending to the utter ruin of great numbers of the youth of both sexes. I consider the entire abolition of these fairs would be attended with the happiest results.'

Mr. James Isaac, Chief Constable of Warwickshire, &c., in whose district there are twenty-seven important places in which statute fairs are periodically held, and who, at considerable personal trouble, issued a circular of inquiries to the different superintendents under his jurisdiction, thus gives the result—

'I have caused inquiries to be made throughout the county with reference to statutes held for the hiring of servants, and am informed by the officers that they are unanimously of opinion that they are productive of a great amount of crime, drunkenness, and debauchery. On female servants they have a most baneful effect—many cases of bastardy having come under the notice of the police, which have resulted from improper intimacies at or returning from statutes. I also would remark that, in a pecuniary point of view, it would be a great blessing to servants were statutes altogether discontinued. Not only do they spend a great amount in drink, but it is usual for thieves, pickpockets, &c., to congregate upon such occasions, and by means of sham fights or otherwise, take advantage of, and abstract money, watches, &c., from the pockets of unsuspecting servants.'

Mr. Chipp, superintendent of police, Worcester, after twenty years' experience—

'The statutes, or 'mops,' as they are here called, for hiring farm servants, are held in St. John's, a suburb of Worcester. The men stand in rows, and the farmers walk up and down the rows to pick out those whom they think will suit. They then draw off to a public-house to make the agreement. The girls stand in rows like the men, to be

sorted out by those who want them for female servants. Gentlemen and others sometimes attend there to pick out the most healthy and good-looking girls to suit their own purposes. One instance in particular I was a witness of. I saw a publican whom I knew pick out a fine, healthy-looking girl, and said to him, 'You do not want such a girl as that.' He replied, 'My wife has left me, and I want something to look at.' In a short time the girl left his house in trouble and disgrace.

'After the mop is over, drinking, cursing, swearing, and fighting are carried on to a shocking extent, and I have been many times called to quell the disturbances. When night comes on, there is scarcely a place in St. John's in which couples are not to be met, elated with drink. In many cases the females are easily taken advantage of. I have known young women entrapped by procuresses, and have often been employed by their distressed friends to find and restore them. But when they have once been tainted, they often break out again. Mops are calculated to bring trouble and misery, without producing the least benefit to society.'

In addition to these testimonies from persons highly qualified to judge, I may add, that in my own neighbourhood, the system of statutes was publicly and authoritatively denounced at a public meeting, presided over by Mr. Chandos Wren Hoskyns, and that was attended by the Archdeacon of Coventry, the leading gentry, and the whole of the surrounding clergy; that the York Diocesan Board of Education have memorialized the county at large on the subject; and that in Lincolnshire influential public meetings have been held, and societies have been established, (headed by the Lord-Lieutenant and by the Bishop of the Diocese,) for the express purpose of publicly denouncing and of exterminating this social evil.

The baneful effects of scenes like these that have been described cease not with the termination of the day of the statute fairs. The contaminating seeds of profligacy, and drunkenness, and vice are there sown, and the legitimate fruits must, more or less, inevitably spring up, and ultimately be reaped by society at large. The poison, there imbibed, insinuates itself into the very root that is to produce the coming generation, and so deadens the hope of ever raising the morality of our rural population. It would be comparatively of little moment were the day of the statute fair the occasion of sin and profligacy to the habitual drunkard or the confirmed prostitute, but the temptation is to the hopeful boy or girl that has just quitted our National School; to the candidates that have been painfully and prayerfully prepared for confirmation; to the future fathers and mothers of our labouring classes. This is the secondary education that the boys and girls of the labouring class receive so soon as they leave the walls of our schools. Apart from parental supervision; at a period of life when the passions are strong, and reason is but feebly developed, our half-educated boys and girls are annually sent forth to these slave-markets, where they meet with the hardened and abandoned, and where they find themselves surrounded by seductions that would

sorely try the virtue of the experienced adult. In numberless instances they yield, and thousands upon thousands date their destruction of body and soul from their attendance at the statute fairs. We all know that want of sobriety and want of chastity are the crying sins of our country population. Their frequency is such, that the drunkard does not lose caste, nor does the unchaste woman forfeit her hope of future settlement in life. There is but little difficulty in tracing these evils to their source. We sow the wind and we reap the whirlwind.

I am quite at a loss to conjecture the arguments that would be urged by the supporters of the statutes, if any such could now be found. Certainly neither necessity nor antiquity can be pleaded, for in Warwickshire, at any rate, statutes originated in the lifetime of the oldest inhabitants, and in many counties of England they have not to this day obtained. Why should there be need for the annual gathering of farm servants any more than of domestic servants; and yet these last are constantly seeking places, and find no difficulty in supplying their wants? Hiring by the year, perhaps, has much to do with the custom. Farmers hire their indoor servants from Michaelmas to Michaelmas, and imagine that by this custom they are enabled to retain them for a more lengthened period. The reverse, however, is the fact. Domestic servants, who are engaged on the terms of a month's wages and a month's warning, continue much more permanently in their situations than farm servants. If it be contended that the cases are not parallel, for that the services of farm servants are more valuable at one time of the year than another, and hence that they might be tempted to leave by the offer of higher wages elsewhere, when they are most required, I ask, in reply, whether such is a practical evil in the case of the day labourer who is only hired by the week; or whether the farmer has not the remedy in his own hands by giving the same wages in the year, but by stipulating, as he does with the day labourer, that so much per month shall be given for the winter and so much for the summer months. Were the law that governs farm servants to be repealed, (a law that is a remnant of feudalism and class legislation), the custom of hiring by the year would die out; and farmers, finding themselves not more favoured by law than their neighbours, would reap the benefit of the change in the increased zeal and attachment of their servants, who would then be rendering a hearty and voluntary, and not a compulsory service.

It is easy to point out an evil, and oftentimes difficult to suggest a remedy. Happily, in this case, the remedy is obvious enough. Let respectable farmers discontinue their attendance at these meetings, and let the respectable parents of servants forbid the attendance of their sons and daughters; and, according to the law of supply and demand, their mutual wants will soon become known to each other, and supplied. Let farmers henceforth give a marketable value to good character, and study their own interests, by employing none who are unable to produce a good character from their last situation. Let them engage with their servants by the quarter instead of the year, settling with them in like manner, and thus enable them to defray their bills as

soon as incurred, and not tempt them by the possession of a large sum to squander their earnings in folly and drink. Let them grant the occasional holiday, and the opportunity of seeing their parents and friends; and the time thus lost will be more than repaid by the attachment and increased diligence of their servants. Once more, let them acknowledge the lawfulness of marriage for their servants; let them admit that courtship is the high road to the altar, and that the servant-girl has not lost her character because she has lost her heart. Let the follower, then, be permitted openly to visit at the house at stated times and lawful hours, and let not both be driven to the statutes for the interview, or be compelled to seek it at the back door of the premises in the darkness of the night.

Landlords, likewise, and clergy, have a part to take in this movement. It is for them to convene public meetings; to ventilate the question, and excite the interest of the tenant farmers and occupiers of land, and induce action on their part. Let the ground be provided for quoits and skittles, and the field for cricket and other manly amusements, and let there be the simple school-room entertainment, and draughts and other games of skill for the evenings. Let there be the mingling of class with class. Let the squirearchy and the clergy, and the employers of labour, uphold by their purse, and sanction by their person, the anniversary of the well-ordered benefit club, the harvest home, or the parish feast. When this has been accomplished, or attempted, the upper classes will be enabled with a better grace to ascend the public platform, and with a clearer conscience denounce the demoralizing amusements of the day of the statute fairs.

I assert, then, that the custom of holding these fairs may at once be abolished with detriment to none, and that the farmers and their servants will still be in no worse case than the rest of the community or their brethren in Dorsetshire, Kent, Surrey, Sussex, Devonshire, Hampshire, and other counties of England. Even were a substitute for the statutes required, I could point to one that possesses the practical advantage of having been tried and proved successful. In Lincolnshire three public meetings have been held on the subject, and the result has been the formation of a 'General Servants' Amelioration Society,' under the direct support of the Lord Lieutenant of the county, the Bishop of the diocese, and all the leading gentry and farmers.* They already possess fourteen register offices in the different parts of the county, and have likewise applications for offices from some of the large villages.† Should this plan appear too formidable, or the machinery cumbersome to put in motion, I would suggest the establishment of register offices in all our rural villages. I would recommend that a register book should be kept at the school of each parish, in which servants wishing for places, or masters wishing for servants, may enter their names, and that such book be open, free of

* In Worcester a public system of registration of servants of all descriptions has for many years been in operation.

† The rules may be obtained by application to Rev. A. Veitch, Secretary, Tetney, near Grimsby.

charge, to all parties during school hours. I would further recommend that quarterly transcripts of all entries be transmitted to some central school, or register office, or the union. Such a plan would be simple and inexpensive, as the cost of books, postage, &c., could be defrayed by a few trifling subscriptions. All parties could be readily put in communication with each other. At all times there would be a selection in each parish, and quarterly there would be known at the central office the supply and demand of the neighbourhood for a radius of many miles. This scheme I suggested at an influential meeting on the subject in Warwickshire, and have reason to know, by its adoption, that it met with general acceptance.

But whether this be the substitute or it has yet to be devised, or none is needed, these are points which should rather fall under the consideration of agricultural societies than this meeting, and must be settled by local rather than general principles. Absorbing as must be the contemplation of a newly-invented scarifier or clod-crusher, spare time should be found by these societies to enter on the attempt of scarifying many of the farmers into a better regard for the decent sleeping accommodation of their servants and labourers, and of raising the human clods committed to their care from the moral defilement of these fairs, the fruitful source of drunkenness and impurity in our rural population.

Working Men's Refreshment Rooms. Rev. J. Erskine Clarke, St. Michael's Vicarage, Derby.

It is a question very closely connected with the 'Public Health,' and an important feature of 'Social Economy,' how, when, and where the labouring people have their meals. It is a very serious question with all of us, 'What to eat, drink, and avoid?' but it is specially important for those whose daily bread depends upon the strength and vigour of their limbs.

There are some mechanics and labourers (and an increasing number, I hope), who are blessed with good, sensible wives, and comfortable homes. They come back from foundry, factory, or field at the dinner hour, and find an inviting, though frugal, meal awaiting them. They have time to eat it in comfort, and mayhap partially to digest it, before they are obliged to return to their work.

For such there is no need of refreshment-rooms—rather if the majority were so well off, such refreshment-rooms might prove a snare in leading them to forsake their homes. And this, I may here say, is, so far as I see, the one objection to be brought against such places —that they may tempt men away from their fireside; but I believe that any man who would be tempted away by the most attractive coffee-shop has long since been caught by the flashy seductions of the gin-palace or public-house.

Moreover, I am persuaded that the vast majority of the working men in our large towns either work so far from their homes that they

cannot get back to them within the dinner-hour at all, or else have so long a walk each way, that they have nothing more than a snatch at the dinner before they have to start back again to work.

In the former case, when the man is too far from home to return in the dinner-hour, what is the alternative? Sometimes the careful wife sends the dinner by one of the children (who is in consequence kept away from school, or at least very irregular in attendance), and the dinner is eaten under a hedge, or in the corner of the workshop. Sometimes the workman carries his mid-day meal with him in a dinner-can—often, we fear, a solid meal is dispensed with altogether—and a hunch of bread and cheese, a quart of beer, and several pipes of tobacco, make up the working man's three courses and a dessert; or, possibly, if he is working in a town, and his pocket is pretty full, he buys a chop or a rasher of bacon at a neighbouring butcher's, and has it cooked at the public-house fire, and washes it down with a good deal of ale; and then, not unfrequently, he is tempted by the boon companions of the tap to stay for another pot—he neglects his work, and possibly the disgraceful carouse of the evening is begun in the dinner-hour. But, besides those who have homes out of reach, there are of course a very large number of single men who are lodgers, and who systematically take their meals at public-houses. And as they are chiefly youths and young men, it is for them that working men's refreshment-rooms are specially desirable.

I have only spoken thus far with reference to the dinner-hour. When we come to think of the winter evenings of working men we shall see the strong necessity for some such provision.

For the man with good wages, and the good managing wife, there is no need of such places, but for the man who has not a home at all, or such an *one*, that when he says 'there's no place like home,' he means that there's no place so miserable, dirty, and uncomfortable—a place where dining-room, drawing-room, kitchen, nursery, and washing-house are all rolled into one apartment—where damp clothes are steaming overhead, and dirty children crawling underfoot.

The man who has been toiling since six in the morning till six at night can't stay there—where is he to go to? Do you say to the coffee-house?

You would hardly say so if you had seen the majority of coffee-houses, or, as they are sometimes more pretentiously styled, 'Temperance Hotels.' There are no doubt favourable exceptions, but as a general rule they seem to offer cheapness, but only in combination with nastiness.

Then look at the bright, smart, cheerful aspect outside and in of the modern tavern, and when you contrast the two—when you throw into the scale the decided taste for beer, the actual need of some stimulant which the working man has, can you wonder that his choice is for the public-house.

But is it equally certain that, if he had to choose between an airy, clean, comfortable, neatly-decorated coffee-room and the tavern, that his choice would be so uniformly for the latter? I think we have no

right to judge till we have fairly made the trial, and put coffee on the same level with strong drink, just as Mr. Melly had done for water by his public fountains.

The experiment has been tried for several years in Scotland, and with most encouraging results. In Dundee, Lord Kinnaird, some years ago, set such coffee-houses on foot, and they seem to have had a most beneficial effect on the labouring population.

The same good work has been carried on for several years in Edinburgh under the superintendence and at the risk of Mr. J. Burn Murdoch. He opened a working men's refreshment in 1855, in a passage leading from the densely-peopled High-street, in the old town of Edinburgh, to the markets. He procured a proper person to whom he explained his plan, and entrusted the management. In a month or two this person saw that there was so good a business to be done, that he left Mr. Burn Murdoch, and set up another exactly similar establishment within a few hundred yards. Mr. Murdoch procured another couple to undertake the management of his rooms; they very soon followed the example of their predecessors, and set up another rival coffee-shop on the other side; and yet the original one continued to pay its way, and still does so, the rival establishments also succeeding.

As to the adaptability of such refreshment-rooms to England, I may state that in 1855 one was started in connexion with the Working Men's Association at Lichfield, of which I was then the secretary; and although the population of the town is small, only about 3000, and there is very slight influx of strangers, yet the room has paid its way up to the present date, though it has not reimbursed the outlay for fittings. I hope this winter to try the experiment in the town of Derby, where I think it can hardly fail of success.

As it would be well if similar experiments were made elsewhere, I may state what I propose to do.

I have secured a long shop, in a very leading thoroughfare, and am now having it fitted with a counter, on which there will be a coffee-fountain with a gas-jet burning under it—the joints of cold meat, sandwiches, and a vase or two of flowers, &c., if they can be got. The room will contain five boxes of comfortable width, with the partitions breast-high between them. In another part of the room there are small round tables, with chairs, and a comfortable stove. The room is well warmed and cheerfully lighted. It is supplied with a few daily penny papers, and with the illustrated papers, and *Punch*, and the *Leisure Hour*. There are also the time-tables of the various railways, and any local pamphlets that may be interesting.

Were such rooms generally established, they would furnish, at a very cheap rate, a comfortable substantial meal to workmen who were too far from their own homes, or who had none to go to, and a safe resort for the wives and daughters of our farmers, who now on market-days have little choice between the puff-pastry and British wines of the confectioners (not very satisfying after a three or four

miles' walk with a heavy basket on each arm), and the spirits and biscuit of the public-house. It was seeing a young market-woman reeling home drunk through the snow that led me to urge the opening of the Lichfield room. They would supply a place for luncheon to many young clerks and shopmen, who at present have gin and bitters, and a sandwich, and probably a cigar, in the tavern-bar or the wine-vaults.

And one other advantage of such rooms would be, to supply the comfort of a club to many men, who have far more excuse for leaving their homes for an hour or two of an evening than the great majority of those gentlemen who are found at our clubs and reading-rooms night after night, and not blamed either.

It may be useful here to give a few of the main requisites for the success of such an establishment.

It must be in a good situation, in a thoroughfare frequented by working people. There is one unfailing test of the right place to open such a refreshment-room, and I may also add, to set up a public drinking fountain, *i.e.*, the number of public-houses in the street or neighbourhood.

A good manager. In towns it will be needful probably to have a man and his wife; in smaller places a woman alone would be sufficient. It will not do to put in an old servant, however respectable. You must have a stirring, economical, business-like, cleanly woman, with a pleasant smile to welcome her customers.

The best manager will be none the worse for being looked after. There is often a temptation to get careless, and not to keep up the character for things being clean and inviting, though they are cheap. The unexpected visit of one of the committee, or of the gentlemen interested, will therefore have a wholesome effect.

The rate of remunerating those who manage must vary according to circumstances and the business done. At Lichfield we only give the manager, whose husband is absent at work during the day, board and lodging for herself and family, and the privilege of letting two upper rooms to lodgers.

Mr. Burn Murdoch gave the run of the house, *i.e.*, the use of the provisions, and 18*s.* or 1*l.* a week for a man and his wife, who were always in the establishment.

It will be important to impress on the managers that it is working people whose custom you especially want, otherwise they may give themselves airs, and snub the working people, in order to keep them away, and to cultivate a higher class of customers.

It will of course be requisite to have the kitchen conveniently fitted up, and the nearer it is to the room the better. A large boiler, say to hold three gallons and a half, will be necessary, and a gas apparatus on the counter, for keeping the coffee hot, will be very useful.

The whole cost of fitting up such a room will range, according to size, from 40*l.* to 100*l.*

I will only once more repeat my conviction, that the establishment

of bright, cheerful coffee-houses, with flowers, mirrors, music, if possible—everything that gives charms to the public-house, except the drink, would be a great invitation to temperance, and would be a serious rival to those saloons and gin-palaces, and taps, and shades, and wine vaults, which beset our thoroughfares, and which so wofully beleaguer and demoralize our working men and working women, who are the very marrow and nerve of the nation.

Friendly or Benefit Societies. By CHARLES HARDWICK.

AMONGST the numerous social questions which have latterly attracted attention, one of the most interesting, as well as the most important, is unquestionably the effort at self-dependence in the hour of affliction, made by the operative population by means of friendly or benefit societies. And yet, singularly enough, until within a very recent period, the subject received but little consideration at the hands of those professedly interested in the cultivation of industrial and provident habits amongst the millions of toilers whose labour forms the massive foundation of the national wealth. Indeed, several of the most important and most flourishing of existing societies of this class were long regarded by persons of influence and authority not simply with indifference, but suspicion. Nay, they were even classed amongst the secret political clubs, outlawed by Act of Parliament. Large sums of money, subscribed by industrious men for provident purposes, were continually being abstracted by unprincipled treasurers and other officers, while the law of the land, if it did not absolutely encourage the plunderers, gazed upon the iniquity with dignified unconcern. The practical value of the great principle of Friendly Society Insurance is, however, now pretty generally understood and acknowledged. Parliament has entirely removed its ban upon the efforts of the affiliated bodies, and opened its doors to all who choose to avail themselves of legal protection. Yet, notwithstanding all this rapid and healthy progression, there exists, even at the present time, in highly influential quarters, a species of hostility to the popular self-governed friendly societies, which occasionally developes itself in somewhat angry and uncourteous denunciation, and rival institutions have been established with the professed object of destroying or superseding the existing fraternities. Hence an unseemly collision occasionally takes place—a kind of social civil warfare, in which the contending parties, though professing no further object than a mutual desire to benefit the industrial classes, belabour each other with a vehemence worthy of political partisans or sectarian zealots. This I believe to arise, in a great measure, from mutual misunderstanding, and an imperfect knowledge of many, and a complete ignoration of some of the most important facts and inferences connected with the matter in dispute.

There can be no question that the societies recently launched into the world under distinguished patronage, and fashioned according to the most approved actuaries' models, have not met with the anticipated response from that portion of the operative population for whose especial benefit they were inaugurated. How is this? I will endeavour to answer the question. Before, however, the true nature of this relative failure can be clearly comprehended, it is necessary that a few facts with reference to the origin and development of friendly societies should be fully understood, and certain popular errors discarded.

From a deep sense of the dignity inherent in self-sustaining effort, and the true and lasting independence founded thereon, the friendly or benefit societies of the working-men of Britain have unquestionably originated. The earlier manifestations of this great principle were of the humblest character. Men, who met together for social enjoyment, to sing songs, smoke tobacco, and drink beer, gradually formed amongst themselves associations for mutual relief in the hour of affliction. A working-man's labour had become his capital, and this capital required insurance, or the owner's independence was hourly in jeopardy. Some humble imitation of the pomp and form of freemasonry and of the secret political clubs, rife at the period, was adopted by the founders, with a view to give a little mysterious importance to their proceedings, and to attract public attention thereunto. A few isolated sick clubs had already arisen in the country, and these served as a model for the insurance or friendly society portion of their objects. In process of time several of these clubs or lodges affiliated, as it is termed, or formed themselves into a fraternity or brotherhood, from which have arisen some of the most extensive of the friendly societies now in existence. Many others, by imitation, or by secession from the original body, have since sprung into existence. Numerous other independent sick and funeral societies have likewise been formed in addition to many of those previously in being. All, however, are relatively of a modern character. The Manchester Unity of the Independent Order of Odd Fellows, the most numerous and influential of all the secret affiliated bodies, was not founded till about the year 1812. The Ancient Order of Odd Fellows may be a little older, but it is with difficulty that the slightest reference to its existence, or that of any other body of Odd Fellows, can be traced in the latter half of the last century. Most, nay, nearly all the societies founded previously to the earlier portion of the present century, have disappeared. A similar fate has likewise attended a large number of those of more recent formation. Notwithstanding such has been their popularity and fecundity, that, according to a calculation submitted to the House of Lords in 1850 by Lord Beaumont, the number of members then belonging to societies of this class exceeded three millions; they were in the receipt of an annual revenue of nearly five millions, and they possessed an accumulated capital of upwards of eleven millions sterling. These figures, enormous as they may appear, must be beneath the truth at the present time. Mr. Tidd Pratt says, in his last Report

(1858), 'The number of friendly societies enrolled and certified now in existence in England and Wales is about 20,000, the number of members exceeding 2,000,000, with funds exceeding 9,000,000*l.*' This return is highly satisfactory, inasmuch as it demonstrates, that, notwithstanding much previous distrust and indifference, the members are rapidly availing themselves of the provisions of the Acts of Parliament passed on their behalf.

It must be a source of proud satisfaction to every well-wisher of his country and his kind to reflect upon the amount of virtuous and noble effort represented by the figures I have quoted. This satisfaction is, however, somewhat alloyed by the recollection that a large number of similar societies have collapsed from inadequacy of means, and that very many of those now in existence are still far from being in a position to meet all their future requirements. They differ, however, materially, in degree of error. Some will, unquestionably, like their predecessors, speedily go to the wall; others will continue to maintain for a time a precarious existence; whilst many that have been for some years moving in the right direction, will continue to introduce such further improvements as will enable them ultimately to realize the expectations of their founders and friends.

The imperfect character of the financial constitution of many of these societies has been somewhat acrimoniously commented upon by certain influential parties; the tone of whose commentary, especially, has engendered a distrustful, and in some cases a defiant feeling amongst the members of some of the more important affiliated bodies. It ought never to be forgotten that whatever errors might exist are errors of judgment or want of knowledge, and not errors of intention; that the parties interested are the makers of their own laws and regulations, and consequently may be reasonably supposed to require that any external counsel should be tendered with the courtesy due to men who are (skilfully or unskilfully) managing their own affairs. Besides, we shall see that many of the now so loudly condemned errors are not the progeny of the working men. The practical bearing of the great question of friendly society reform is by no means so extremely simple as certain professional actuaries and learned gentlemen employed to advocate the claims of rival societies appear to imagine. It is doubtless very easy for parties in possession of the past experience of a large number of these societies to discover now that the rates of contribution have not been equivalent to the liabilities, and that a continuance of the previous practice will ultimately involve their destruction. If it be granted, for the sake of argument, that this experience of the past has been correctly and completely interpreted, and perfectly satisfactory laws deduced for future guidance, which is by no means a universally accredited fact, surely they who gratuitously made the experiments which furnished the data are not legitimate objects of contempt or abuse. The working men of England could have no interest in wilfully deceiving themselves. They have not been the only blunderers in the matter, as a slight glance at the past history of the science of vital statistics will clearly demonstrate. As late as the year 1825 a

committee of the House of Commons reported as 'remarkable,' that 'until a very few years ago no data were collected whereon a calculation of the average occurrence of sickness at the several ages of man could be formed with tolerable accuracy; but it is fortunate that a calculation, made many years ago, upon a hypothetical assumption, has been found to lead to practical results not very different to those subsequently brought forward. Still more recent inquiries have unfortunately demonstrated that the said fortunate calculation, as well as its partially corroborative experience, has proved miserably deceptive. The same committee likewise complain that the justices, who at that time exercised the functions of the registrar, 'had been satisfied with the signatures of petty schoolmasters and accountants whose opinion is not to be depended upon!' Nay, for years afterwards the actuaries themselves continued to certify tables which subsequent experience has proved inadequate. It is not therefore very surprising that simple provident working men should have been led into error.

It is very desirable that the present improved knowledge respecting the law of finance as applicable to friendly societies should be disseminated in a popular form amongst those most interested. With the exception of my own humble efforts, but little, however, has yet been done in this direction. Indeed, there are many local conditions and perturbating influences in connexion with the practical carrying out of any merely scientific system, of which the actuaries themselves are ignorant of necessity. The numerous errors which have arisen from this condition gives a plausible colour to the shrewd observant member, when he expresses a doubt whether these gentlemen are any wiser than himself on the subject.

One practice of the actuaries and their influential friends has been productive of much distrust amongst the more intelligent and advanced clubs. They are in the habit of treating the whole of these societies as presenting precisely the same or similar features, and denouncing them *en masse* for practices which are recognised only by a very limited number. They usually attack the principal society, and shower upon its head the sins of all the rest, real and imaginary; on the principle, say they, that if we destroy the best, the rest must succumb as a matter of course. This is manifestly unjust, as well as impolitic, and, as might have been expected, has recoiled with overwhelming force upon those who adopted it. The sins and errors of some actuaries have been visited upon the entire body, and the motives of those who sought to establish 'office clubs,' as they are termed, upon the ruins of the self-governed societies, have been impugned; the affair has been concluded to be a mere commercial speculation, and avoided by independent working men in consequence.

There is no royal road to the introduction of a perfect system of finance amongst friendly societies. The British working man will not be dictated to; he must be convinced, in some form or other, or he will not move. There are many men amongst them of advanced intelligence both competent and wishful to effect to the full all necessary reforms; but it must not be forgotten that they have to wait with

patience, while they teach, step by step, their more humbly educated brethren, and obtain their votes for each successive innovation upon the 'ancient constitution,' before ever they can effect any substantial progress. Depend upon it, there is as strong an element of conservatism in the working-man's club-room as in the House of Lords itself.

It was imagined that the establishment of 'office-clubs' on scientific principles would have caused a large number of intelligent members to leave the old societies, after being satisfied, of course, of their insolvent position. This has failed in experiment most signally. It was soon discovered, by members of the better class of societies, that the secession of a very few from their ranks placed the old club in a much improved position, as each retiring member left his share of the acquired capital behind him. It very soon became apparent, likewise, notwithstanding so much had been said to the contrary, that the working expenses of the office-clubs were much greater than those in a well-conducted Odd Fellows' lodge.

But the great charm to the British operative is the privilege of self-government. For this he will risk his all. Here lies the secret of the great success of the Manchester Unity and other affiliated bodies. There can be no question the feeling is a healthy one, and will eventually prove not only the means of reforming numbers of these societies, but of maintaining them in their integrity afterwards. Vast progress has already been made, especially in the leading society, and many of its branches show assets equal to, and some in excess of, their liabilities. Others unquestionably will decay; but their extinction will serve as a warning beacon to the next generation, and thus facilitate onward efforts. The only assistance the working men require is the countenance of those in the higher ranks of society, and the diffusion amongst them in a kindly spirit of sound practical information. Their own common sense and sturdy integrity of purpose will eventually do the rest.

One objection to the present self-governed friendly societies has been for a long period freely and somewhat successfully urged. It is said, that owing to their meetings being held in public-houses, they have a tendency to promote intemperate habits amongst the members. This at the first sight appears so conclusive, that many have, without much reflection, adopted it as a self-evident inference. It may perhaps appear startling that I should, after seventeen years' practical experience in connexion with the principal society, express my conviction that, so far as it is concerned at least, the very reverse is the fact. Nay, I am free to confess that in my opinion the Manchester Unity of Odd Fellows has, with the single exception of that institution which has made the propagation of temperance, or rather teetotalism, its speciality, done more to promote improved habits in this respect than any other society extant. One of the principal points in its lectures is an injunction to temperance in all things. Its laws have for years distinctly prohibited any contributions being expended in liquor. Members are severely punished if seen intoxicated when in

receipt of the sick allowance. Habitual drunkenness subjects the offending member to expulsion: a somewhat serious penalty to a working man after he has contributed several years to his society. Any member appearing in a lodge-room in a state of intoxication is subject to a fine; and yet, to the credit of the body be it said, that, with one or two unimportant exceptions, I have never seen any necessity for enforcing this rule.

But there are other facts which bear out still more strongly my position. There can be no question that many lodges were opened chiefly through the instrumentality of landlords, with the view to the improvement of their business; but has the speculation generally proved successful? Most certainly not. During the period (two years) I held office in the Preston district, five out of the twenty-four lodges were compelled to leave, because the landlord's profits were not sufficient to cover the expenses of lighting and cleaning the rooms. At the present time it is a very common thing for the members of a lodge to pay a rent varying from a few shillings to five pounds per annum for the use of the apartment in which they meet; and this tax is submitted to from a conviction on their part that the host is not otherwise remunerated for the accommodation afforded.* The Manchester Unity and some other societies do not patronize public-houses as such. A majority of the members of any lodge can, when they feel so disposed, remove to a private room or school-room, or indeed to any respectable place, which may be suitable for the transaction of their business. And accordingly many lodges do meet in such places as well as in temperance hotels and Odd Fellows' halls, both with and without public-houses attached to them. A series of lodge rooms, where fifteen different societies meet, in connexion with a large public hall, was opened by the Liverpool branch of this body only a few weeks ago, and I know of several others of a similar character in various parts of the kingdom. This disposition to meet in private rooms, I am glad to observe, appears to be gradually extending in other districts. But while the people, or any important section of them, frequent such places, it is better that they should be encouraged to form branches of such institutions rather than that they should remain improvident. It appears there always were, and it is highly probable there ever will be, while man retains his social characteristics, such places as public-houses, no matter what class of beverages may be consumed therein. A temperance hotel is, to all intents and purposes, a public-house, and not always by any means the most cleanly of the class. The truly valuable labourer in the cause of progress must be content to exert

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* It is somewhat singular that the working men's practice in this respect should have met with so much severe reprehension; while in many parts of the country the county magistrates assemble in the very self-same rooms for the purpose of dispensing justice in the name of the Queen! In fact, it is not choice, but necessity which compels both parties to avail themselves of the only accommodation available.

himself in such a field as the actual condition of humanity presents before him. The true friend of the more provident working men must condescend to accept their habits as part and parcel of the condition in which they are at present placed by social necessity. When 'the people,' as a body, shall have remedied their great errors of habit, they will not require much assistance from others in their future moral and social advancement.

The upper classes will never effect much good with respect to friendly societies by direct interference with the details of their management. The very practice of self-government is in itself productive of great social advantage. Here the members learn the necessity of law and order, the evils of anarchy, and the advantage of constitutional rule; and thus they become, by this practical teaching, better citizens and better subjects of the state. All they require from the educated and influential classes is a recognition of the value and importance of their efforts for self-dependence, an extension of that sympathy so touchingly referred to by the late Justice Talfourd in the hour of his dissolution, and the dissemination amongst them, in a kindly spirit, of such information as will enable them to govern their cherished societies for the future in accordance with the improved knowledge of the age. If this be done, the rest may safely be left, under Providence, to the known energy, love of liberty, and integrity of purpose, of the people themselves.

On the Value of Town Gardens to the Poor. By SAMUEL BROOME, Gardener to the Temple.

TWENTY-SEVEN years' practical experience in town-gardening, and that in the City of London, enables me to give the results of the changes which have taken place in the human and vegetable kingdom in Temple Gardens, and the surrounding neighbourhood.

When I first entered upon my duties in these gardens, I felt somewhat astonished to find the plants flourishing so luxuriantly and healthily. Roses bloomed in profusion, and all half-hardy greenhouse and herbaceous plants did remarkably well, also several evergreens and forest-trees. This success continued for several years, till the commencement of river steamboats, and an increase of large factories on the south-side of the Thames, and of printing-houses in the immediate vicinity of Fleet-street. As these and other smoky nuisances increased from day to day, the plants gradually began to decline and die, and instead of taking out, as hitherto, the superfluous wood every year, I was continually pruning out dead and smoke-dried sticks; my herbaceous plants suffered in like manner, and as to the greenhouse plants I had scarcely any that would live.

About 200 families residing round St. Paul's and the Temple are admitted into the gardens daily throughout the year, and I have seen

the grounds so enveloped with smoke at times as to be quite disagreeable, and the seats so besmeared with soot, that a child with a clean frock on would go out quite dirty, and I should say not so healthy as when it came in. The garden is also open to the public from six in the evening till dusk in the hot summer months, and the poorer class that take advantage of this boon are very numerous, from 2000 to 3000 each night, and generally from 7000 to 8000 on Sundays. When the time arrived to close the gates, the people looked pale, tired, and spiritless. I also began to lose my appetite, and suffered much from headaches and sickness (being in it always), and so did my family. In fact, the nuisance became intolerable and destructive; even the turf was much affected by it; for as soon as it commenced growing it was cut off at the tips of the leaves as if it had been burnt.

Some fine lime-trees, that used to scent the garden all over, ceased to bloom, and gradually began to decay, losing their foliage in the middle of summer. I was also continually hearing complaints from working men that had small gardens, saying they discontinued to plant anything, as the horrid smoke destroyed all. The wife also complained she could not put out her clean-washed clothes, for they were covered with smuts directly. She was obliged to dry in the room they slept in, although there was a nice bit of garden for the purpose. This drove the man to a public-house, instead of spending his leisure hours in his garden.

An Act of Parliament was at last passed for a partial suppression of this growing nuisance, and before six months had elapsed I began to see a wonderful change in vegetation. My general health also improved, as well as that of my family. I lost the bad headaches, and had a better appetite, although my accustomed habits were the same. Roses began to bloom again that had hitherto ceased; young wood grew up, and instead of dead wood I had to thin out living branches; and all other plants experienced the same change—everything that I planted did tolerably well. This season I have had more bloom and healthy foliage than for some years past, although the treatment is the same. The children that visit the garden for the benefit of the air, look more lively; all this I attribute to the partial suppression of the smoke nuisance.

I now come to the subject of the opening of public and private grounds for the benefit of the working classes and their children. The class of persons that were permitted to walk during the hot summer evenings in these grounds formerly were very superior to what we now have. Well clothed children only, and with their parents, were admitted fifteen years back; but as city houses increased in trade, and dwellings were converted into warehouses, and railways became so convenient, these families began to take houses a short distance out of town; consequently, the poorer class were the only visitors to admit. These by degrees, if accompanied by their parents, were let in, and their conduct was so good that I found that I had much less trouble with them than with the former. I appealed to the late master of the garden to admit all if moderately

clean, as they used to assemble round the gate, begging to go in, one saying, 'I have washed my face;' another, 'I have cleaned my shoes;' another, 'My mother has mended my coat and trousers;' 'I have got a clean shirt on.' The girls would say, 'I have a clean frock.' 'Pray, sir, let me in; I wont pluck the flowers, or make a noise.' Having received the necessary permission to let all in, I let them, being satisfied they would do me credit, as far as general behaviour goes; and such has been the result up to this hour. Picture to yourself a garden full of flowers visited by from 200,000 to 300,000 little unprotected children of the poorest class, from two to ten years of age, and only one solitary flower plucked by an infant too young to know better. I am satisfied that if more public and private playgrounds of this description were opened to the poorer class it would do unlimited good towards improving their minds and their domestic habits. Many a poor child would have its dirty skin washed, its clothes mended, and made clean, that now goes about the streets in dirt and rags. Respecting the parents of the working class, I find they daily improve in sober and domestic habits, if the least encouragement is held out to them. I could instance two or three hundred cases that have come under my notice this season. I cultivate from ten to twelve thousand chrysanthemums with success; the opening of these gardens gives an opportunity to these working men to see how I manage them. The lovers of this flower, who are favoured with a sunny spot of ground, come in by scores in the course of the week, to ask information of me how I grow them so fine; and they perhaps beg a cutting or two. This starts them off to grow them; and I am often challenged to see myself beaten by my pupils; and they do beat me, too. I am invited to go and visit them, and see their little production; and it is truly pleasing to see how much they seem to enjoy their bit of garden. They tell me it fills up all their leisure hours of a morning and evening; they have scarcely time to go in and smoke a pipe; it keeps them from public-houses in the evenings, and visitors coming to see the flowers, find the house and children clean when they call. The next neighbours copy their example, and so it passes from one to another. I already belong to twelve floral societies, numbering from fifty to one hundred members each, and not one shabby man amongst them. Very rarely do you find a man who is fond of flowers taken up for misdemeanour of any kind. There is a great difficulty in obtaining a room to exhibit their flowers in: they are often obliged to show them at public-houses, and also to hold their monthly meetings there, having no other place to go to. I wish each parish had its free public room for these poor men to meet at, and hold the shows. Such places are much wanted, and would cost very little for a parish. At Hackney, a society wishing to show its flowers at the Manor Rooms, the charge was eight guineas; at the Albion Baths they wanted 10*l.*; the school-rooms could not be spared; consequently they had to go to a public-house, much against their wish. There is another great objection to holding these meetings at such houses;

the members drink, and get excited, which creates quarrelsome discussion, and makes quarrels where none before existed. If one parish would be persuaded to try the experiment of a free public-room for the working-classes, others would be sure to follow. It would be the means of saving many a pound to the working man.

Literary and Musical Entertainments for the People.

By Samuel Taylor.

The Staffordshire potteries comprise eighteen towns and villages, forming the parliamentary borough of Stoke-upon-Trent, including the municipal borough of Hanley. The district extends about ten miles from north to south, and two miles in the widest part from east to west, with exhaustless coal and ironstone mines, and has a population of 100,000 inhabitants, employed at the forge, in the mines, and in the manufacture of porcelain and earthenwares.

It had long been a subject of regret, that for a population so numerous, whose physical toil was so arduous and unremitting, the means of innocent and rational recreation should scarcely exist, while temptations to vicious indulgences should abound; and that the only sources of amusement should be so questionable in form and so disastrous in results.

About two years ago, with a view to effect an improvement in this respect, 'Literary and Musical Entertainments for the People' were instituted at Hanley. These entertainments consist of from three to four readings of a quarter of an hour each, from the best authors, with intervals for vocal and instrumental music. The whole of the proceedings last about two hours, opening at half-past seven and closing at half-past nine o'clock. They are held in the Town-hall on Monday and Saturday evenings, and have proved so attractive and successful that the Hall, which had on all former occasions been found ample for the public convenience, was soon discovered to be insufficient to accommodate the numbers who flocked nightly to attend these entertainments, for on many occasions hundreds had to retire unable to gain admission, from the crowded state of the room. At first admission was free, the funds being supplied by a few friends to popular improvement. But one evening a working man from the body of the hall arose, and voluntarily proposed that an admission fee of one penny should be charged in future. This proposition was received with acclamation, and carried most enthusiastically; and thus, by the act of the people themselves, the entertainments were made self-supporting, for the small sum charged proved sufficient to defray all expenses, and leave a balance in the hands of the treasurer at the end of each session.

Eight other towns and villages in the district, observing the success which attended the entertainments at Hanley, instituted similar proceedings, and with equal success. During the last session, which

commenced in October, 1857, and closed in April, 1858, not fewer than from sixty to seventy thousand admissions took place, although some of the most populous towns began so late in the season as not to be able to give more than six or eight entertainments, and these by way of experiment; but all closed with the determination of re-opening in October. Stoke-upon-Trent, which came last in the field, closed its proceedings on the 3rd of May, in presence of an audience of from fifteen to sixteen hundred people; and so successful did the committee find the experiment, and so well satisfied were they with the result, that they offered a prize to any working man for the best essay on the subject.

There is one fact connected with these entertainments of a most encouraging nature, and which is deserving of particular mention,—viz., that wherever they have been tried the largest room that could be obtained has proved too small to accommodate the numbers who have applied for admission. It ought also to be stated that the literary and musical staff has consisted, in many instances, of persons who, heretofore, have confined the exercise of their talents to the drawing-room; while the amount and quality of musical acquirements amongst the working class, developed during the proceedings, were both surprising and gratifying. The deep and active interest which persons of all conditions have taken in these entertainments, and the support rendered to them by the clergy of the Church of England, and ministers of all denominations, are not only a guarantee for their future success, but indicate their high moral tendency, and the great desire all classes have to meet together to participate in pleasures which all can share free from political differences and sectarian animosities. Wealthy manufacturers have been seen reading to their workmen, and the delicately trained and accomplished lady has thrown aside reserve, and played and sang to her humbler neighbours; and the people have repaid with interest such instances of kindness by the propriety of their demeanour and by the most grateful demonstrations.

When these entertainments were first instituted Hanley had about twenty music saloons, connected with licensed public houses and beer-houses. Before the close of the second session there was, I believe, hardly one left; certainly not one in a condition so flourishing as formerly. Great numbers who have been accustomed to seek recreation at such places have been remarkable for their regular and punctual attendance at these entertainments, and the marked attention they have paid to the proceedings. Whole families belonging to the working classes attended them regularly, and husbands and fathers, accustomed to seek amusement in haunts of vice, have learned how great and pure is the pleasure arising from innocent yet cheerful recreation, shared in common with their wives and families. That mere novelty was not the charm which drew the people to them is clear, from the fact that the eagerness to gain admission was greater at the close of the second than of the first year's proceedings. The truth is, they meet—to a limited extent, it is true—a great public

want, which had long been felt, though rarely gratified, but the existence and intensity of which have been abundantly proved. In a community like ours, where the mass of the people pass the greater part of their lives in one ceaseless round of exhausting toil, there must exist the desire for occasional relaxation and pleasurable excitement, and it must and will be had of some kind, somehow and somewhere. 'All work and no play make Jack' not only 'a dull,' but in times of excitement a dangerous 'fellow.' He contrasts his own dreary existence with the ever varying pleasures enjoyed by his superiors, and discusses with his fellows over his pipe and his beer the causes of such a widely different fate. Unable to solve the social problem, he regards the rich man's lot with envy, and curses his own, temporarily drowning, too often, alas! the recollection of his supposed wrongs, and subduing his rancour by drinking confusion to all his wealthier neighbours, the sad end being too frequently his own ruin and that of his innocent family. The gradual spread of this evil, which has been truly denominated the national vice, shows that mere precept and lecturing are insufficient to check its progress. Press, pulpit, and platform have their respective spheres and duties, and mighty agents they are in the economy of a nation, but they do not, because they cannot, completely satisfy the full demands of man's entire moral nature. It is not enough to warn men against temptation, you must surround them with sources of enjoyment as attractive, inexpensive, cheerful, and innocent, as the present temptations are alluring, vicious, and destructive. Man has need of holidays to rest his body, relax his mind, and open his heart. It has seemed easier to find employment for labour than healthy and innocent relaxation from that labour. But it should never be forgotten that if work supply the daily bread, it is cheerfulness gives it a relish. What people need is amusement, without brutality or degradation; enjoyment without selfishness; in a word, entertainments which shall please everybody, and shame none. 'We are told,' says Sir Edward Bulwer Lytton, 'that the Arcadians, as their climate was peculiarly chill and gloomy' (in modern phrase, English), 'sought to counteract its influence by assemblies, music, and a gay and cheerful education. Thus did legislation conquer nature; not with unhappy effects, for the Arcadians were no less remarkable for their benevolence and piety than for their passion for music, and their gaiety of disposition.' It is unnecessary to seek legislative aid in our arrangements; all that is required is, that those in authority in the different localities should afford every facility to popular amusements, by permitting the use of public halls on easy and liberal terms, and that they, together with a few other public-spirited men in each locality, should promote the institution of 'literary and musical entertainments for the people,' or similar means of popular amusement and innocent relaxation. The good that will follow such efforts will more than repay any expenditure of time it may be necessary to devote to them. The promoters will find that amusement keeps men cheerful and contented, engenders a spirit of urbanity, reconciles the poor to the pleasures of the rich,

which are of the same sort, though in another sphere, removes the sense of hardship, brings men together in those genial moments when the heart opens, and care is forgotten. It is humbly hoped that the success which has crowned the efforts of the promoters of these assemblies in the Potteries may induce similar attempts in other places, and that 'literary and musical entertainments for the people' may be more widely extended, and, at no distant period, be numbered amongst the established institutions of the country.

The Public Walks and Recreation Grounds of Nottingham.

By G. W. Enfield.

The exertions which are being made by the large towns of England to obtain parks and places of recreation in the open air may be regarded as a laudable effort to recover and retain the means of healthful enjoyment and athletic sports for the people.

During the last sixty years, towns have rapidly grown up, and common lands in rural districts have been enclosed without regard to these objects. The town of Nottingham may be cited as an instance in which, when an inclosure did take place, the setting apart spaces for recreation was made a prominent object. In the year 1845 an Act of Parliament was obtained for enclosing the commonable and waste lands surrounding the town, containing about 1100 acres, and the Act enabled the corporation to select altogether 130 acres for the purpose of recreation, of which 50 acres were to be taken out of lands immediately surrounding the town, and 80 acres out of more distant and less valuable land.

Out of the 50 acres, about 17 acres have been appropriated as an arboretum, planted with trees, decorated with flowers, and made available for school and other parties, by ample refreshment rooms. About nine acres have been set out on different sides of the town as cricket-grounds and play-grounds, and the remaining 24 acres have been laid out as Boulevards, or walks, planted with trees, extending round considerable parts of the outskirts.

The 80 acres comprise ground, part of which has long been used as a race-course, and part as cricket-ground; and another part of it is now being planted and laid out so as to form a fine terrace walk.

All these grounds are, under the Act of Parliament, maintained out of the rates of the town, aided by the rent of a small allotment of land made under the Inclosure Act, in respect of the claims of the householders to rights of common.

That these grounds and walks contribute to the ornament of the town as well as to the pleasures of the inhabitants, and particularly of the working-classes, cannot be questioned; and by them the flowers and shrubs in the arboretum are well appreciated and carefully respected and preserved. The people of Nottingham have long delighted in their gardens, and the town and villages adjoining it,

containing together about 118,000 inhabitants, have nearly 2000 small gardens. It is found that the holders of these are generally amongst the more sober and well-conducted members of society, and that thus health and length of life have been benefited and promoted. For the thousands who have not their own gardens, these public walks and recreation grounds are especially desirable; and while the cricket and play-grounds afford space for exercise for the young away from the streets, the public walks and the arboretum afford a constant and safe source of pleasure to the older and to the infantine population, and cultivate love and admiration of the glorious works of the Creator, in their moral influences so purifying and elevating.

Following the worthy example of Liverpool as to the mode of making the grounds most useful, it is now proposed to fit up one of the grounds in the heart of the poorer population for gymnastic exercises, and to decorate it, and one of the cricket grounds, with drinking fountains, which a liberal inhabitant has offered to present. Lodges have been built, or are about to be built, on or near the several recreation grounds, with a view to some degree of surveillance, which is requisite as well for the comfort of those who frequent them, as of the residents in the neighbourhood.

The rivalry of different large towns in thus promoting the good and enjoyment of the people is highly to be commended; and it seems wise and reasonable that large and wealthy communities should secure for themselves these wholesome objects. Small towns and country villages may, at less cost, but with like advantages to themselves, have their recreation grounds, and so the old name of Merry England be in this way still honoured and remembered by coming generations.

On Penny Savings Banks, and their Extension by means of County Associations. By E. Akroyd, M.P.

THE attention of Parliament was first directed to the subject of Savings Banks in 1817. Up to that year they were merely voluntary associations, established by leading gentlemen in their own localities. In order to protect and encourage such useful institutions, Parliament passed, in the year mentioned, two statutes—one for England, the other for Ireland. From that time to the present no less than *eleven* statutes have been passed; and recently, further attempts at legislation have been made, resulting in the appointment by the House of Commons of a select Committee, which sat during last Session.

From the Report of that Committee we learn that the first savings bank on record was commenced at Edinburgh in 1809. The example was followed elsewhere; and there were already several savings banks in England and Ireland when the first London savings bank was opened in 1816, under the presidency of Mr. Thomas Baring.

In measuring the benefits conferred by savings banks upon the

people, I find, by a return from the National Debt Office, that out of a total of 1,341,762 depositors (contributing 32,984,023*l.*) no less than 1,139,919 depositors, or nearly 85 per cent. of the whole were small depositors of an average of 12*l.* each. This fact is a striking proof that if we wish to extend the advantage of savings banks we must cultivate the small depositors, and turn our attention to small sums.

It is well known that the existing savings banks do not embrace in their operation the bulk of the working-classes. This fact has long been apparent to observant philanthropists, and several attempts have been made by voluntary associations to supplement the ordinary savings banks by smaller depositaries.

One of the first of these supplementary banks, called Territorial Banks, was started by the late Dr. Chalmers, at Edinburgh, to receive deposits as low as *one penny* each.

The Edinburgh Territorial Banks are considered as feeders to the larger savings banks. When a depositor's balance reaches 1*l.*, it is required to be reduced, or transferred to the National Security Savings Bank. In Glasgow a similar system has been in operation for several years; and from the testimony of Mr. Mickle, the actuary of the Glasgow Savings Bank, it works advantageously for the poorer classes. One bank of this description—the Barony Bank—has been in existence for *five* years. In one year it had 6155 transactions, amounting only to 273*l.* received, and 139*l.* repaid. The number of deposits in *Penny* Banks we may therefore conclude is more numerous in proportion to the amount of deposits than the number in ordinary savings banks.

Mr. Mickle further states, that the present mode of remunerating actuaries and agents—viz., by a percentage upon the total receipts, makes it the interest of these parties to discourage small, and to encourage large depositors. He suggests that *one-third* of the remuneration of actuaries should be derived from capital, and *two-thirds* from the number of depositors, so as to hold out further inducement to cultivate small deposits.

One of the first Penny Banks started in England was at Hull, in the year 1849, and it has proved remarkably successful. In my own neighbourhood, at Halifax, I opened a Penny Savings Bank, in October, 1852. The amount received from 1028 depositors, since the opening of the Bank to October 2nd, 1858, is 2303*l.* 6*s.* 1*d.*, and the amount paid out, 1587*l.* 6*s.* 6*d.*

Also, within the last two years, another Penny Bank has been established at Halifax, in connexion with the Mechanics' Institute, which has had great success. The idea of working Penny Banks in connexion with Mechanics' Institutes was first suggested by Mr. Sikes, of Huddersfield, in the year 1850. It has been tried successfully in several places of the West Riding of Yorkshire and the North of England, free from the necessity of a transfer of the larger accounts to the Government savings banks. An interesting paper on Penny Banks, by Rev. Erskine Clarke, of Derby, is printed in the Transac-

tions of this Association for 1857. This paper affords some valuable information on Penny Banks in the Midland Counties—Birmingham, Derby, and Lichfield. The success of these experiments serves to show how large a field remains open for cultivation.

Penny Banks, then, are an established fact. They have been tested under various circumstances and in different localities, and have answered their purpose admirably. The problem remains to be solved how they can be adopted as a general and legal system to cover the ground left vacant by the Government savings banks—how they can be used as a lever to raise the condition of the working classes. Such an institution stands on the very threshold of Social Science. We do not want to degrade the operatives to the condition of paupers—our desire is to help them to husband their resources and to improve their economic condition. The future of a working man, who has a large family and earns only average wages, is disheartening. Sickness, hard times, and loss of work hang over his head, and he is able to make but slight preparation for such unwelcome visitors. A sick-club may relieve him during temporary illness, but against loss of work he has no resources, unless he has saved from his wages a little store. But what is to become of him in his old age? His children, if married, can do but little for him; and so, when he can no longer earn his own living, all he can expect or hope for is a small weekly allowance from the relieving officer, and he may consider himself fortunate if he be not compelled to end his days in the pauper prison, separated from his family and old friends and neighbours. This is the cheerless prospect opened out before a large majority of the working classes of our countrymen; and the only practicable mode of lifting them out of this helpless state, is to afford them a ready means of storing up every spare penny for the time of need.

To accomplish this purpose, a broad and comprehensive scheme has recently been matured, and is about to be commenced in the West Riding of Yorkshire, combining local management with central supervision and control. The rules and regulations have been approved and certified by Sir Alexander Spearman and Mr. Tidd Pratt. As the system is applicable to every county in the United Kingdom, and is capable of easy and wide extension, I will endeavour shortly to sketch its outline.

In the strictest sense of the term, it may be called a Territorial Bank, although the promoters were in total ignorance of the opinions of the late Dr. Chalmers, and had no idea that he had anticipated their project in the slightest degree. The districts and sub-districts of the Registrar-General form the divisions of the Riding, and in each division a District Committee will be appointed to superintend all the branches within the sub-district. The number of branches being unlimited, may seem to involve great risk; and additional precaution is therefore necessary to guard against such risk, by fixing due responsibility upon each branch. Mr. Mickle gives useful evidence upon this point before the Select Committee. The Glasgow

Bank has about thirty agencies—one half in the suburbs, and the other in small towns in the neighbourhood. These agencies are formed by benevolent gentlemen in the locality joining together and agreeing to act as a Committee of Superintendence of the branch. The Committee, before opening the branch, give a special guarantee to the Central Bank in Glasgow that they will make good to depositors, or to the Savings Bank in Glasgow, all monies with which the branch agent or actuary may be entrusted for transmission to or from the said branch. No loss has ever been sustained from these agencies, although some have been established since 1844.

The West Riding Bank has opened a general Guarantee Fund, to give confidence and security to the depositors; but it may further be necessary to adopt the Glasgow system, and to obtain from each branch a similar security against defalcation by the actuary. By such a method the Central Bank is insured against loss from its branches, however numerous they may become. The Bank will be under the management of managers and trustees. The qualification for a manager is a subscription of 20*l.* to the guarantee fund, and for a trustee, a subscription of 100*l.* The liability of the parties subscribing to the guarantee is limited to the amount of their subscription, being by declaration under section 6 of 7 & 8 Vict., c. 83. There are other qualifications for the office of manager besides that of a subscription to the Guarantee. A donation of 5*l.*, or an annual subscription of not less than 10*s.*, constitute an alternative qualification; and thirdly, any person rendering gratuitous services is eligible as manager. This last qualification is intended as an encouragement and a special honour to those who may act as auditors or actuaries without pecuniary remuneration, or who may support the institution in other ways. By this provision clergymen and ministers of religion, and persons of small means, who are not in a position to incur pecuniary obligations, may lend a helping hand without personal expense or liability.

The investment of the deposits is placed in the hands of the trustees, who have power, under the provisions of 9 Geo. 4, c. 92, sect. 12, 'to invest so much of the funds as may not be required for immediate use (or to meet accruing liabilities of the central or branch banks) in the Public Funds; or upon Government or real securities in Great Britain and Ireland; or upon debentures, mortgages, or securities of any company incorporated by charter or Act of Parliament, and paying a dividend; or upon the security of any county, borough, or other rates authorized to be levied and mortgaged by Act of Parliament.'

A large proportion of the investments will no doubt be made in securities easily convertible into cash.

The shrewd managers of some of the Scotch banks, and especially the Perth Savings Banks, have largely used the powers granted under this section of 9 Geo. 4, c. 92, to invest in other than Government securities, and have thereby been able to afford to their depositors a higher rate of interest. But these powers of free investment in valid

securities are essential to the success of Penny Banks, as the collection of small sums is more troublesome and expensive than that of large sums, and for this reason a wider margin is required between the interest received and that paid. Assuming that investments upon approved securities will obtain 4 per cent. whilst the interest allowed to depositors is 3 per cent., by this means a clear 1 per cent. will be allowed for expenses of collection and management, of which one-half might be appropriated to the expenses of collection in the branches, and the remaining half to the expenses of central and district management, and for the formation of a reserve or guarantee fund. The expenses of collection ought not to be paid by a percentage upon the total amount of deposits, but upon the number of open accounts, so as to encourage the formation of small deposits.

In the rules of the West Riding Bank a searching and careful audit of accounts is provided. Each branch has its auditor as well as its actuary, and a statement of every individual account will be made out yearly. The number of each depositor's book, but not the name of the holder, will be put in the usual place of business for four consecutive deposit nights, so that each depositor may compare the balance with that in his book, and ascertain its correctness.

An auditor will be appointed by the guarantee managers to audit the general accounts, and to draw up a financial statement annually. As the guarantee is applicable to make good any deficiency, the subscribers thereto will doubtless take care to secure a faithful audit.

In the larger branches, with numerous depositors, they might be conveniently divided into three classes :—

1st. A juvenile class from thirteen to eighteen years of age.

2nd. Adult males above eighteen.

3rd. Adult females above eighteen.

For these separate classes different hours for collection or different evenings might be set apart. Female depositors should receive every facility and encouragement, because women are naturally more careful and provident than men. The mothers of large families and widows will find a Penny Bank a help in time of need.

In the populous districts, the bank might be open every evening for one or two hours, but for small branches in the country one or two evenings in the week might suffice, especially Friday or Saturday evenings, when employers usually pay wages. During the day it is almost useless to open a small savings bank for the working classes; as of necessity a large majority are at work. By limiting the periods of collection, expenses may be reduced without material inconvenience to the depositors.

In most instances probably a school-room or Mechanics' Institute might afford a convenient place of business.

With regard to the withdrawal of deposits, the rules provide that a week's notice shall be given for sums under 5*l.*; and a fortnight's notice for larger amounts. But although this precautionary power of notice may be useful to prevent fraud, yet in practice it will be desirable to adopt the Scotch plan, and to permit the depositors to draw out small sums on demand. The fewer the restrictions the

more prosperous the bank. Mr. Mickle, whose evidence I have already quoted, gives it emphatically as his opinion that the working savings banks should be as little encumbered with forms and restrictions as possible. The penny or small savings bank should fulfil towards the poor man of small means precisely the same functions as an ordinary bank does to its more wealthy customer—to receive all spare funds, and to repay the same when and as required, usually on demand.

Care is taken in the rules of the West Riding Bank to prevent the actuary retaining in his possession any large sum. The amount of cash required to meet expected demands will be fixed, and any excess must be paid over to the treasurer before the next deposit night. By the simple precaution of appointing as treasurer a banker of undoubted credit and standing in the district, additional safety may be obtained, besides a regular and independent verification of all receipts and payments from the actuary of the bank. All cheques on the treasurer for repayment to be signed by three parties: actuary, auditor, and district comptroller. These safeguards, if well worked, will close any possible opening for such shameless and extensive frauds as occurred at Rochdale and at Dublin.

The management of the branch banks is to be conducted by committees under the supervision of a district committee, and the whole under the control of a central committee. The chairman of each branch committee will be *ex-officio* member of the district committee, and the chairman of each district committee, a member of the central committee. General meetings of the trustees and managers are to be held annually. A secretary and an accountant will be appointed for the central committee; also district treasurers or bankers, besides a central treasurer or banker, through whom probably will be passed all investments by the trustees.

Independently of the higher rate of interest obtained by the trustees through their choice of investment as compared with the purchase of the Public Funds, other collateral advantages arise. The accumulations of savings are not drained from the district, but may be, partially at least, invested in local securities. The circulation, too, is maintained when some portion of the specie paid out of the local banks for wages flows back again through the same channel. The amount of investments in the Funds on account of savings banks already amounts to nearly thirty-five millions. An annual loss is sustained by the Treasury, although the Chancellor of the Exchequer has reaped some advantages by the convenient but irregular use of this balance in the purchase and sale of Exchequer Bills. On public grounds then it is undesirable to augment this balance to any great extent, and thereby to inflict probably a heavy loss upon the Treasury. Hence, a further argument may be adduced in favour of the powers of investment sanctioned under the provisions of the West Riding Penny Savings Bank.

Provision is made in the rules for the deposit of funds by friendly societies, and it formed a part of the original design of the promoters of the Penny Bank to work it in connexion with a provident society,

although as a separate concern. There would be no great difficulty in arranging for the payment of sick relief and also of death and other claims by the bank upon the presentation of cheques signed by the responsible officers of any friendly society which may choose to make deposits with the bank. The collections from members of local clubs might be deposited with the branch bank on the very evening of their collection, and thus probably greater safety insured for the club funds.

By some such arrangement as that now suggested, these Penny Banks might be made most valuable institutions for the members of friendly societies.

The subscriptions to the Guarantee Fund of the West Riding Bank already amount to nearly 2000*l.*, besides handsome donations for preliminary expenses. Annual subscriptions have also been received to cover any deficiency in the extra cost of collecting small deposits. But as the bank retains the power of receiving larger sums to the same extent as the ordinary savings banks, it may be expected that the profit of the larger balances will compensate the loss on the small.

The county division, adopted by the West Riding Bank, has many advantages for convenient working and active supervision. Within the same county all the leading and influential gentlemen and the magistrates are accustomed to meet and associate with each other. The county town is generally a convenient centre for the head bank, whence there is a facility of communication with the other towns and villages where branches are likely to be opened. Such an organization has already been tried at Exeter with encouraging success under unfavourable circumstances.

It was given in evidence before the Select Committee by Mr. Shopland, the Actuary of the Exeter Bank, that it has nearly 100 branches in the county of Devon, and 35,000 depositors. With this number of branches there are only 15 paid agents, the others act gratuitously from motives of benevolence, and are chiefly clergymen, county magistrates, and gentlemen of respectability. Most of these branches are simply places of deposit for savings; and before the depositor can draw out any money, a month's notice must be given to the Central Bank. Notwithstanding this serious obstacle a large business is transacted by the Exeter Bank, and through its salutary action great benefits are conferred upon the industrial classes. No loss or defalcation has been sustained from these numerous and unpaid agencies.

Besides the voluntary aid of individuals, there are in the West Riding a variety of associations already established which afford peculiar advantages for the formation of branch banks;—for instance, mechanics' institutions and schools, which are found in every village. The clergy and ministers of religion might also bring their influence to bear in promoting, by this means, the temporal comfort of their flocks, as well as their spiritual welfare.

In the preceding remarks I have tried to sketch out a plan on the

principles of the projected West Riding scheme, by which Penny Savings Banks may spread over the kingdom, and become permanent institutions. They should be distributed as numerously and as regularly as the post-offices and their branches, which are in fact penny depositories, although not penny banks.

If I should succeed in drawing the attention of practical men to the important branch of Social Science touched upon in this paper, my object will have been accomplished.

WORKHOUSE MANAGEMENT.

Self-supporting Pauper Labour. By GEORGE CARR, Governor of the Liverpool Workhouse.

IN introducing a paper on the subject of 'Self-supporting Pauper Labour,' it may be well to premise that what is generally known as the 'Workhouse test,' has been, in all its bearings, practically tried under my own immediate observation; and if I entertain opinions adverse to that system, so far as it relates to the able-bodied paupers, such opinions are the result of convictions forced upon my mind after sixteen years' attention to the question. The impossibility under that system of extracting from an able-bodied pauper, even an approximation to a fair day's labour, is known to every workhouse official, and I submit that it is a fair subject for inquiry whether there is not something radically wrong in any system which renders such an admission as universal as this is known to be. And if, on inquiry, it be found that that system rests upon unsound principles, then the inquiry naturally turns to the important question, What is the remedy to be applied?

The subject of dealing with able-bodied paupers had heretofore presented so many difficulties, that one was wont to turn with despair from the task; and after more than a dozen years' anxious thought and zealous devotion to the question, I myself was forced to conclude that under the old workhouse system all attempts to eradicate this class must and would prove abortive. But if we consider and closely examine what the 'workhouse system' really means, I think we shall find very little, if any, difficulty in rightly attributing the failure of all previous attempts to the very 'system' which has been so long cherished as affording the most valuable means of dealing with able-bodied pauperism. The system consists of a denial of relief of any kind to the able-bodied, except within the workhouse, and this is insisted on, with a view to the application of what is called the 'workhouse test.' It is argued that this 'test,' which means confinement within the workhouse, separation from friends, stringent regulations as to classification, diet, cleanliness and behaviour, to

which is added a distasteful and monotonous labour test, will amply suffice, if properly carried out, to suppress, as far as it can be done, all able-bodied pauperism. That this system has failed, is demonstrated by the fact, that able-bodied paupers are to be found in every workhouse in the kingdom.

The able-bodied in every workhouse are known to consist of two classes—first, those who use the workhouse when occasionally unable to find employment, but who do really desire to be self-supporting; and secondly, those who look upon the workhouse as a home, and who will make no effort to live by their own industry. Unfortunately, the latter class are those most known to workhouse authorities as able-bodied paupers. They have for the most part been reared in the workhouse, are well-acquainted with its rules, and are generally very idly-disposed and vicious, and it is these who present the grand difficulty. They despise the position of the poor servant-girl—I am now speaking of able-bodied women—deprived of her independence, or, as they term it, liberty—cooped up, from week's end to week's end, within the limits of a narrow kitchen; and on this principle they act, for it rarely happens that one of them can be induced to remain in service.

Now let us apply our test to this class. As regards the classification, separation from friends, &c., these are of no avail. Accustomed as this class is to their application from childhood, and use being second nature, they feel this portion of the test in no way galling. Indeed, as to friends, they have, very generally, none, except among those with whom they are in daily association. It remains, then, to consider how far the 'labour test' is equal to the task imposed upon it. The pauper knows and feels that, work or play, the same food and accommodation await her; that work she ever so little, or ever so hard, these are neither diminished nor improved. In fact, there is no motive, no inducement to them to work, no reward, no encouragement, but one eternal task; so that they view work as a punishment, and their officers as taskmasters, combine against the latter, and resort to every imaginable pretext and scheme to avoid labour. They cannot possibly gain a penny by working, and they therefore practise, and become expert at feigning sickness and concocting false excuses, and, in fact, do anything to defeat what they consider as a cruel attempt to rob them of their labour. They look upon their right to relief as undoubted, but they cannot and will not believe that by any law, human or divine, they are bound to pay for that relief by work. Mark, that under this system, the task of extracting labour in return for relief devolves on the officers of workhouses, whilst since the pauper gains nothing by working, it is contrary to human nature to suppose that every means will not be resorted to to render all attempts at extraction abortive. As I have already stated, every means are resorted to for that purpose, and what is the result? It is this. The workhouse able-bodied paupers are converted into a morose, lazy, vicious set, determined to live on the industry of their neighbours, refusing to make the least exertion to

become self-supporting, and settling down, step by step, into worthless and incorrigible drones. This I pronounce to be the result of the workhouse system on the old plan.

And now as to the remedy. But first let us stop and explain what is to be understood by the term 'able-bodied'—as meaning an adult person, robust and healthy, and capable of earning a living by the sweat of his brow. It is clear such a person can never become a pauper so long as he can exchange in the labour market his labour for money, in sufficient quantity to procure for him the necessaries of life; and it is equally clear that a person who can exchange this labour of his for money, but who will not, preferring to live on the industry of others, commits a crime against society. Now, the poor laws prescribe that destitution shall constitute a title to relief, and under this plea a door is open to the worthless and the lazy to commit the crime indicated. In the relief of what is understood to be destitution, the industrious are very frequently called on to maintain the idle and vicious. To relieve, then, the really destitute, whilst we effectually guard the ratepayer against supporting the worthless pauper, is the object to be gained. With that view, I would abolish at once gratuitous relief to the able-bodied. They possess what is equivalent to money—bones and sinews—and are destitute merely because they cannot find, or are unwilling to seek, a field for their exercise. This is the position of every able-bodied applicant for relief. Establish, to meet his case, a market for his labour, but let the work be hard and unpalatable, and let it be totally impossible for him, though he work ever so hard, to bring up his wages to the amount earned by the ordinary labourer in the ordinary labour market. His destitution then will be met by this 'Relief-by-Labour System,' in which the principles of action, under the old workhouse system, are reversed. Under the new system the pauper has to earn his bread in full by the labour of his hands. He has all the interest in the amount of work he does,—the officer who overlooks him has none. If he works little, he has little wages to receive; and if he works well, he is paid accordingly. He feels that his existence depends upon himself, that the crust he eats he earns; and hence, I submit there imperceptibly grows within him a feeling of independence and self-reliance to which he was before a stranger. This is not all. He finds himself labouring in a low-priced market, and naturally looks about for more wages and better employment. The spell which bound him to the workhouse and to pauperism is broken, and he feels himself emancipated and free—free, inasmuch as now, for the first time in his life, he supports himself by the labour of his hands.

This is the natural consequence as regards the old class of previously incorrigible paupers. But see its effects upon the casual pauper—the one whom I have indicated as well-disposed and willing to live by his industry. The old system consigned that man, too, to the workhouse, shut him up from the labour market, and rendered it next to impossible that he could know when or where to apply for work.

The rules of the workhouse forbid his going out when he would do so, and in this way he loses chance after chance of getting employment, which were he non-resident, he might obtain. In this way, the pauperism of many a good man has been perpetuated, whilst he has become dispirited, has lost his self-respect, and has felt reconciled to what, at first, he looked upon as humiliating and degrading. For such a man the 'Relief-by-Labour System' must prove a comfort. If by any chance he fails to obtain work, he can earn sufficient to support himself without being deprived of his liberty; he can watch the labour market, and embrace the first chance that offers, which we know he will do from the desire to obtain better wages; and he has also the consolation of knowing that although his destitution was relieved, he gave a full equivalent for what he received, and thereby preserved his self-respect and independence.

I have thus imperfectly sought to give an outline of the views which experience has taught me to entertain on the subject of able-bodied pauperism, and I am happy to add that the select vestry of this town have permitted me to test by practice the value of those views as briefly enunciated to them in a Report in my journal, dated 31st August, 1855. I lost not a moment in preparing a number of hand corn-mills, which had previously been used by the nightly vagrants, for the purpose of commencing the experiment on the able-bodied women, by whom our workhouse had been long infested. Ninety-six mills were prepared, and, when they were ready, all the able-bodied women, not encumbered with children, were discharged from the house, receiving each one shilling and an order to work. From that date the workhouse has been free from this class. Our labour-shed is a barrier they cannot pass, and the workhouse has lost its attractions. They are steadily refused admission, and, in lieu, receive orders to work. They are thereby compelled to live by their own exertions, and they know that pauperism, for them, means harder work and less wages than can be procured elsewhere. And what is the result? For months we have not had one able-bodied single woman in the workhouse. The old and vicious class of workhouse drones are forced to labour to support themselves, and hence have deserted us altogether; and although at first we had a rush for employment at the mills, and had to pay as much as 30*l.* in wages in one week, we can meet and pay all expenses now with a sum not exceeding 8*l.* to 10*l.* Moreover, we have ground, in fourteen months, close on 5000 packs of flour, which, on calculation, I find does not cost us, after paying all expenses, more than we should have paid for it by contract. So that whilst we find in this corn-grinding the most valuable test for the suppression of able-bodied pauperism, we do not lose money by its application.

I have not said one word as to its value as a test, but as a proof that it is so, I find that in two months after this system was introduced, there were 200 women working daily at these mills; these were reduced to thirty in five months, and have never since exceeded seventy. In six months 642 orders were issued for work, out of

which 188 were presented, and only eleven out of the total number remain working at the present time.

It is worthy of notice, that the building in which we carry on these operations is placed within the workhouse boundary wall, with an entrance direct from the public road. The workers, therefore, cannot see, or, in any way, communicate with any one of the inmates, nor do the latter know who is at work at the mills, or who is not. The workers are admitted every morning at half-past six o'clock, are at once allowed to begin work, and are paid at six o'clock each evening for what they do. They then depart, and return again next day. They find their own lodging, board, clothing, &c.—in fact, are in every way the same as ordinary day labourers, receiving remuneration only for the work they do.

The men, it may be necessary to observe, are treated exactly on the same principle as the women, but they are employed in stone-breaking in a yard detached from the workhouse; the stones are sold to the Corporation, and little, if any, loss results to the parish.

It is always desirable to prevent pauperism, but, unfortunately, those who come to the workhouse, generally speaking, appear to have but one thought, and that is, that others should support them. The workhouse system encourages these notions, and what I desire to see substituted is such a system as shall convince paupers that it is their duty to support themselves if they can; that whereas honest and industrious people out of doors are bound to live by their own exertions—the labour of their hands—the fact of being a pauper shall in no way relieve a man from that responsibility. There is this difference between paupers and the rest of the community, that an able-bodied pauper never gives an equivalent for his support, and will not do so unless compelled. Such people get an order of admission from a relieving officer, enter the house, and would remain there for ever if they could. It is an impropriety, and it has a most debasing effect upon their minds. They know that even if they do not work they get their food the same as an industrious person would outside.

The establishment which I have created, in order to check this, and to rear up what I think a barrier against pauperism, is a comparatively simple arrangement, but it is most effective. At these hand corn-mills able-bodied women can earn a shilling a-day if they only choose to exert themselves. Perhaps they only earn sixpence, but, as a proof that a shilling can be earned, I may state that a young girl of sixteen and an old woman of sixty have earned it. The labour is undoubtedly heavy, but this produces the effect which, in my opinion, is desirable.

Formerly the magistrates of this town were too painfully conscious of the bad character of the class who inhabited the workhouse, but, since this system has been established, there has scarcely been one entry in the punishment-book. The cells in the workhouse are abolished, and there are to be found in the establishment

none but the aged, the sick, and the young, and the mother burdened with children—the able-bodied, vicious class have all disappeared.

If this has been so successful—and I have tried it now for three years, and every day adds to my consciousness of its success—may not the same principle be applied to prisons? That is a point, however, which I will not now venture to elaborate, but it is a point on which I have thought much. Why should a person who has committed a crime against society be maintained by that society which he has offended? The criminal class avoid labour simply because it is distasteful and irksome. Show to them that by being criminals instead of honest men they cannot escape it; show them that that man who not being a criminal is bound to live by the labour of his hands, is equally bound to do so when he chooses to commit crime. Make them understand that 'man must live by labour'—that if he will not work neither shall he eat, and allow them no escape from the fullest responsibility which these words impose—do this and you convince them that, as a commercial speculation, crime is a miserable failure.

To effect the experiment, the nature and results of which I have detailed, has cost the parish little, indeed nothing. It is true there is the interest on the cost of the building, and, it is also true, that there is the cost of attendance; but the attendants are old men who could not be usefully employed elsewhere; and in reference to the interest on the building, it should be borne in mind, that the cost of keeping an able-bodied pauper is 3*s.* 6*d.* per week. For the half-year ending in March last, we made in these mills 3378 pecks of flour, at a cost of 6277*l.* 3*s.* 9*d.*—the fact being, that we ground enough to serve the entire house, the inmates of which number on the average 2500—to serve the Industrial Schools at Kirkdale—the inmates of which sometimes amount to 1000—and likewise to serve the outdoor poor.

We have shown, then, that this plan has, after three years' trial in the Liverpool Workhouse, proved the practicability of a system of 'relief by labour.' I submit that such a system effectually guards against the possibility of a really destitute able-bodied person suffering from the privations which unrelieved destitution necessitates—that it also effectually guards the ratepayer against the injustice of supporting idly-disposed and worthless paupers—that it tends to stimulate the latter to a life of industry, and, moreover, it offers advantages to the temporarily destitute man, which cannot be secured under the present debasing system. The whole system is so opposed to this latter that the pauper feels none of that degradation which tends to debase him,—he is asked to yield freely his labour for his own support, and enjoys the advantages of his exertions, and those are of such importance that I have felt it my duty respectfully to bring the subject under the notice of this Society.

Workhouse Schools and Parish Apprentices. By W. R. Lloyd.

The importance of directing special attention to the best means of imparting principles of honesty and independence, and habits of industry and sobriety to the children of the destitute, vicious, and neglected classes, as preventative of crime, has now been completely established, by the approval of the system of reformatory schools, throughout the country. By protective measures for the uncontaminated, however, crime is more effectually restrained, than by the most strenuous efforts to reclaim the initiated. As a guardian of the poor of a large parish, I have had the opportunity of observing, and am thoroughly convinced, that a large amount of destitution and crime may be prevented by improvements in the system of training children in our workhouse schools; and that the best interests of the poor, as well as a considerable economy of the rates, may be materially promoted by directing special attention to this object.

It is notorious that a large number of the most refractory criminals in our gaols have passed through our workhouse schools, and considering the amount of Government authority, and the expense of workhouse establishments, we have a right to calculate on different results.

The master of a workhouse school is much encouraged in his duties by the gentlemen who visit and take an interest in the improvement and comfort of the boys, sympathise with their varied condition, and study the requirements necessary for their training.

The necessity of entirely separating the schools from the workhouse, though enforced over and over again by inspectors, is, I regret, but partially carried out through the country. I thoroughly endorse the opinion, that the only way by which justice can be done to any system of education of the destitute pauper children, is to separate the orphans and others, entirely dependent upon the guardians from earliest infancy for parental care of body, moral and intellectual training, outfit and establishment in the world, from the casual pauper children, whose time for instruction depends upon the necessities of their parents, who avail themselves of the temporary refuge of the workhouse in bad times, when disposed to desert them, when reduced drunkenness to poverty, or when imprisoned as criminals.

If the schools were entirely separated from the workhouse, the independent responsibility of the master would be increased, and the necessary interference of the governor of the house with the management of the children, who must all be considered as inmates under his charge,—a frequent occasion of jealousy and misunderstanding—would be avoided.

The Act (18 & 19 Vict. c. 34), authorising guardians to bestow relief upon paupers (with families of young children) applying at the board for out-door subsistence, while enforcing schooling for all those children not earning wages, as a condition of the relief,

requires some further enactments to extend its beneficial influence authoritatively.

By establishing separate district schools like that at Quat, in Shropshire, with conveniences for efficient industrial domestic training for girls, and particularly for out-door agricultural labour for boys, by which principles of independence are instilled, useful handicrafts practised, a hardy constitution given, and complete separation from the contaminating influence of workhouse immorality maintained, the responsible guardianship of the helpless children committed to our charge would become a blessing to them, a material saving of the rates, and a benefit to the country.

The Board of Education and the Poor Law Commissioners, responding to the urgent necessity acknowledged throughout the country, have made industrial training a special object of encouragement, by disbursing from the consolidated fund, and not from the local rates, the salaries of all those who may be considered as instructors in such work, as shoemakers, tailors, gardeners, and laundrywomen, who devote their time specially to this object. As the orders of the Board require that half the time of the children should be so occupied, and pupil teachers are required to qualify themselves in needlework to obtain their certificates, it is only consistent that, in order to ensure the efficiency of this necessary part of the training, qualified inspectors should be appointed for this important branch, as well as for scholastic improvement, by the Poor Law Board. Their experience at the different unions in their district would be of the greatest service.

Visiting guardians, if they have occasion to remark on the scanty production of clothing made in the girls' school, are met with the excuse of the amount of time occupied in the preparation for the inspector, and the necessary three hours daily required by law for scholastic instruction; on the other hand, if the scholastic improvement is found to be deficient, the interruption occasioned by the industrial work required is brought forward in justification. I am of opinion that the interests of girls' schools must materially suffer, so long as their oversight is confined to the boards of guardians as now constituted.

The Government Inspector, usually a classical scholar, with honours from the University of Oxford or Cambridge, makes minute investigation into the proficiency of the poor girls in reading, writing, and arithmetic, Scripture history and geography; but as to his qualification for judging of their improvement in needlework, their skill in cutting, fitting, or mending, the regularity of the darning, or knitting, the getting up of linen, the style of the performance of any household, kitchen, or nursery service, he cannot refer to any degree, diploma, or experience, to give authority to his opinions. It is impossible for such gentlemen to know the amount of work that a class of girls ought to do; what should be the progress made in stitching and darning, and all the other industrial female work during the half-year. All the inspector can satisfactorily do, is to report the number so employed according to the schoolmistress's account. As a guardian,

it is my duty to visit the schools, but I have to acknowledge my incapacity with that of my Reverend colleague, in judging of 'band, and gusset, and seam.' It is true, I discovered a quantity of lattice-work darning, and brought to light cobbled heels, and deformed stockings, not to be mistaken, which could never have been perpetrated, had it been known that a visitor, qualified for the inspection of such work, was ever likely to attend.

If the system of Government inspection of the sort of education and training acknowledged necessary for workhouse schools is to be efficient, it appears only consistent that a lady experienced in such matters can do justice to the requirements of these important duties. She should be duly qualified to organize all necessary scholastic, domestic, and industrial training, and report half-yearly; at the same time, the present inspectors would do well to devote more special attention to the best means of preparing the boys to become more useful, and intelligent, and industrious workmen, and independent members of society.

If lady visitors also, authorised by the guardians, would attend regularly, and see to the carrying out of all the regulations necessary for the girls, as well as encourage them to employ their leisure hours in healthful exercises, moral and entertaining reading, and useful pastime, the monotony of their confinement, and general listlessness of bearing, and want of intelligence, would be greatly relieved, and the incitement to abscond, very prevalent in some girls' schools, and productive of fearful evils, would be materially removed. If they would also notice and report the state of health, regimen, cleanliness, and general treatment of the infants, these important departments would be benefited by more experienced oversight and care than it is possible for Boards of Guardians to bestow. In order that this may be done in a systematic way, and ensure the object of the visiting, I beg to suggest the following set of queries, to be answered monthly, agreeably to the plan of the house visitors' book, as ordered by the Board:—

Suggestions for Inquiries for School Visitor's Report Book.

What number of $\left.\begin{array}{l}\text{boys}\\\text{girls}\\\text{infants}\end{array}\right\}$ did you find present in the school?

Ditto ditto ditto in the infant's nursery?

Ditto ditto ditto in the tailor's and shoemaker's shops, laundry, kitchen, infirmary, or elsewhere?

What number admitted this month, or since last Report?

What number gone to service; name, address, occupation of master or mistress; wages?

Has the conduct of the $\left.\begin{array}{l}\text{boys}\\\text{girls}\end{array}\right\}$ been satisfactory?

If not, state cause of complaint.

State the names of any absconding, and any circumstance or temptation to account for it.

Is the health of the $\left.\begin{matrix}\text{boys}\\\text{girls}\end{matrix}\right\}$ generally good?

State particularly any cases of infectious diseases.

Have there been any cases of bad heads, or itch, occurring in the school?

Is the bath used weekly by all?

Did you inspect the cleanliness of the boys, girls, and infants; and were you satisfied with their appearance?

Were all the industrial classes of the $\left.\begin{matrix}\text{boys}\\\text{girls}\end{matrix}\right\}$ employed to your satisfaction?

Have you examined the book registering the quantity of new material for clothing received in the school?

The number and description of new garments made this month?

The number and description of things repaired?

Have the children been taken out to walk, date?

Is the clothing of all kinds sufficient for regular changes, and material proper quality?

Is the food properly prepared, and eaten with relish?

Are the hours of daily duties, as ordered by the Board, strictly adhered to—viz., schooling nine to twelve, and two to five?

Are the principal teachers efficient, and improving?

Have you inspected the daily register and lessons, and is it duly kept?

Is there all necessary requisites for school instruction? state any requirements.

Do the master and mistresses attend duly at the appointed hour? State any cause of absence.

Are morning and evening prayers regularly said by them?

Have you visited the infirmary, or sick wards? State the number of patients, and any noticeable cases?

In the infants' nursery are the apartments clean, and are the children well tended, clean, and healthy?

Are the girls from the school made useful in this department, and can any girls completely wash, dress, and feed the infants?

A more thorough oversight of, and selection of places for the orphan children put out to service (by the relieving officer usually perfunctorily performed) by benevolent individuals, is deserving of serious attention, and would save many poor girls from vicious courses, to which they seem in a peculiar manner to be lamentably exposed; while the cruel treatment and neglect of orphan boys often tend to associations that lead them to the gaol. The latter have the advantage of having masters found for them, who engage to board, lodge, and teach them a trade for seven years. There is, however, no provision for the girl to prevent her from being turned away, and sent back to the house, or upon the streets—as is often the case—as soon as her outfit of clothes is worn out, without a friend in the world. or any wages whatever, to enable her to subsist till she gets another place, for which, alas! she is often ill qualified.

It is scarcely necessary to remark that no class find more ready market for their services than well-trained female domestic servants. The lady visitors would have little difficulty in finding for such situations, where they would be kindly and liberally treated, and in maintaining an oversight that would give them a start in life, that might reasonably ensure their happiness, respectability, and independence, instead of, as at present, commencing their career in small public-houses, or with poor employers, who have little consideration for them.

It is with great satisfaction that I look to the efforts of a branch of this Association—viz., the Workhouse Visiting Society, to aid in carrying out many of these suggestions. If such gratuitous visitation had been practised in the parish of Birmingham during the last five years there would not have appeared the melancholy list, recently made up, after searching inquiries from extra-parochial sources, of more than one-third missing, or untraceable orphans.

I beg to remark the advantage a large workhouse possesses in the opportunity of training nurses for the sick. By admitting girls from the school, well educated, into the hospitals and lying-in wards, under the direction of the resident surgeon, and supervision of the paid nurses, they may be trained systematically in all the responsible duties of such important and rarely qualified service, a training available for their own benefit hereafter, in our public hospitals, or in retaining them in the house. They will then possess much more superior qualifications than it is possible to obtain in the candidates who offer themselves for such appointments, whenever vacancies occur. I have been favoured with the opinion of the highest authority as to the qualifications necessary for hospital nurses. This lady is inimical to having such responsible duties entrusted to any of the pauper class; but as I consider the orphan children who, if properly trained, have been separated from infancy from any contaminating influence, ought to be impressed with principles and feelings of a higher order than their original connexions, then this objection (I beg deferentially to suggest) does not apply.

The means of imparting any practical moral lessons, making any impressions of a reformatory character, and affording some variety of object to distract their attention from their corrupting conversation in their hours of labour, of oakum-picking, or relaxation in the crowded ward, to the large class of ignorant and depraved females in most workhouses, is much wanted, and would be productive of unspeakable benefit.

Our excellent chaplain has devoted much anxious consideration to this object, and will rejoice to be assisted by the only means that can reach this pitiable class—the aid of judicious and benevolent ladies. I cannot omit the opportunity of enforcing the recommendation of raising the standard of qualification of all the superior officers, from whom so much moral responsibility and intelligence, for their arduous duties in our unions, as well as for the relief of the out-door poor, is required.

In order to effect an improvement in the present state of things it is absolutely necessary that those who profess to take an interest in the condition of the poor, or the prevention of juvenile crime, or who desire a reduction of the poor-rates, should manfully stand forth and, sacrificing a little ease and time, put themselves forward for election to the Boards of Guardians in their respective parishes.

It frequently happens when such gentlemen have been elected, and have sat at a few of the meetings, that they are wounded at the plain-spoken manner of, and the misapprehension of motives by, fellow guardians, and retire in disgust. After the former election of the Birmingham Board, the list contained the names of five clergymen, two dissenting, and two Roman Catholic ministers, and three medical professors. At the close of their period of office, one clergyman only remained at the board, whose assiduous attendance was highly appreciated, and had a most beneficial influence. Of the others, one dissenting and one Roman Catholic minister, and none of the medical gentlemen, remained—all either retired, or became disqualified, by non-attendance at the weekly Boards. It is deeply to be regretted that the important duties attached to the administration of the poor-laws should be regarded with so much indifference by those whose talents, position, and responsibilities, as Christians and citizens, impose upon them the obligation of taking an active part in this all-important duty. In no other department of public labour, as citizens, can they possibly exert a more beneficial influence.

The extent of their ministrations are incalculable to a superficial observer. A single vote may decide the adoption or rejection of a measure, the effect of which may determine the happiness, comfort, and moral training of thousands; and, by judicious management, they have the power of superseding, in a great measure, the use of reformatory institutions through the country.

The Objects and Aims of the Workhouse Visiting Society.

By Louisa Twining.

In the paper which was read last year at Birmingham on the condition of Workhouses, I mentioned the steps by which an interest in their inmates had been gradually attained. During the last few months this interest has led to the formation of the 'Workhouse Visiting Society,' which was the result of the appointment by this Association of a sub-committee for the consideration of the subject. As the evils and difficulties in the management of workhouses have been already often dwelt upon, I will now endeavour to explain some of the objects which this Society has in view.

The general object of the Society may be said to be the promotion of public interest in our workhouses, and the direction of that interest, when awakened, into channels of practical utility. The three special branches of work which it embraces are the exercise of moral

and spiritual influence over the children, the sick and aged, and the able-bodied. It will hardly be doubted that in these several departments or classes of inmates there is an ample field for the exercise of Christian love and exertion.

We have been told that workhouses are not hospitals, neither are they almshouses; indeed they are said not to be intended for the aged and infirm, nor for the decent and respectable at all. Yet workhouses do partake, in a measure, of the character of both these institutions, and in the face of theories the fact meets us everywhere, that in almost all workhouses there are many persons who differ in no respect from those who might be inmates of hospitals and almshouses. In the infirmaries of many unions all the conditions of a hospital exist, and I may repeat, that for the incurable who cannot be kept in their own homes, no other refuge is open. Besides this, I have never yet seen a workhouse without some imbeciles or idiots, both children and adults, who are sometimes kept apart, sometimes with the old or able-bodied, sitting about in desolate rooms, or wandering in equally dreary courtyards. The cost of keeping persons at lunatic asylums being much more than it is in unions, causes them to be retained, if possible, though it is obvious how difficult it must be to carry out any particular mode of treatment there. Those who are placed in authority may be anxious to do their duty according to their knowledge, but it is quite impossible that two paid officials and a chaplain, who divides his time with parish work, should be able to do all that might be done for the moral and spiritual welfare of these various classes of persons. No one can have visited a workhouse without perceiving that there are in every department some who might be benefited by additional care, some sick to be comforted, some blind or aged to be read to, and some careless and sinful to be instructed. In many cases this latter class are entirely occupied during the week, and have leisure only on the Sunday, when the chaplain has no time for more than his chapel service (in most cases there is but one). Here then is an opportunity for voluntary assistance, and I may mention that it has been tried with success amongst these persons, who, instead of being left to themselves during nearly the whole of Sunday, have been collected into classes for instruction, and have shown an attention and gratitude that was encouraging to those who laboured for them.

I cannot but entertain a hope that the class of persons whom it is the most difficult, and apparently hopeless, to deal with in workhouses, may in time be diminished by the greater care that is now being shown for the young, and by giving them an industrial training which may raise them for ever out of the ranks of pauperism. It is very satisfactory to be told in some workhouses that there are no able-bodied men, but alas! there is hardly one without able-bodied women Could their number be diminished we should have a more hopeful field to work in; the sick and the aged alone would present fewer difficulties.

Perhaps the most important point to which we can direct our attention, is that named as the first object the Society has in view, viz.,

'the befriending the destitute and orphan children in the schools, and after they have been placed in situations.' Notwithstanding all that has been urged and written on the subject of the education of pauper children, so many difficulties are in the way of establishing everywhere separate schools, that probably for some years to come, at least, there will continue to be schools in workhouses. It is therefore important to ascertain how they may be conducted with the least possible amount of evil. I say the least possible amount, because it seems to be almost universally admitted that some disadvantages, and some contamination, must arise from education under such circumstances. I may briefly mention what some of these disadvantages are. One of the strongest objections to workhouse schools has been stated to be that the children get to look upon the workhouse as a home to which they may return at any time; and if they are made happy and comfortable, as children ought to be if they are to grow up fit for anything, the more is this feeling likely to be encouraged.

There is also the unavoidable intercourse of the children with the adults, one of the greatest evils of the system. I have never seen an instance of a workhouse school being thoroughly separated from the rest of the house, and even if it were, the children must be permitted to see their relations in it at least once a week; and what is even worse, and productive of more fatal effects, they must be allowed to go out with the mothers whenever they leave the house for a day's liberty. The mischief arising from this can easily be imagined, and schoolmistresses have lamented it in speaking of their work, carried on amidst so many difficulties. Another hardly less injurious practice is one which it seems might be prevented by those in authority. Children with the worst parents, and from the worst localities are frequently admitted for short periods, varying from one week to more, and are placed with the school children, where their language and influence is effectual in undoing the good that had been carefully instilled by a long process.

Such are some of the positive disadvantages of workhouse education. Amongst the more negative objections may be named the want of means for industrial training, except in the very few recent instances in which separate wash-houses and kitchens have been established for the use of the girls, and workshops for the boys. In some cases the girls are taught industrial work at the expense of mixing with the adults; but in most schools at present this sort of teaching is limited to needlework and knitting. How unfavourably this system acts on their after lives can easily be imagined; and how often it leads to a return to the workhouse from the loss of places which the children were not fitted to fill or to keep. For the boys the want of industrial training is even more deeply felt, because there is less occupation for them in leisure hours than for girls; after their lessons in school are over, there is often nothing but play in a court-yard to fill up the hours till bed-time. It is sad to see strong boys of fourteen or fifteen in workhouse schools, when they should be learning to gain their own living long before that age.

In country districts the farmers prefer having boys who know something of practical work from the ages of eight or ten, and will not take those of fourteen or fifteen who have no such knowledge whatever. Persons have been known to go to reformatories rather than union schools to choose boys, because they were there grounded in some industrial work.

The consequence is, that from such unions the boys are generally apprenticed, though it is acknowledged that the plan is not successful. The conduct of masters to workhouse apprentices has hardly been exaggerated, and the instances are numerous where the boys run away, or the masters do not care to keep them after the money is once paid. When industrial occupation of any kind is taught, such as agriculture, baking, house-painting, or even shoe-making and tailoring, there seems to be no difficulty in providing the boys with places. Greater care, therefore, of the children in the schools is well repaid by their success in after life; and though only 'paupers' to begin with, they may end in becoming independent labourers and workmen, and in their turn may make their children so also. Industrial training is therefore undoubtedly the great remedy for the evils of workhouse education, but it is here also where voluntary influence may do much. I have never spoken to a teacher in these schools without hearing it lamented that no one visited them, or took an interest in the work, except the chaplain. When occasionally, but very rarely, I have found that even one lady has been in the habit of visiting the school it has been mentioned with pleasure and gratitude, and all have said how gladly they should welcome encouragement of this kind in their generally depressing and cheerless work. But for the children themselves such an influence would be most especially desirable and beneficial. Large numbers of pauper children can, it is said, be easily managed, but not criminal children. This may be accounted for by taking into consideration the low and depressed character and nature of the former class. For their training and development, therefore, kindly influences are especially needed. In those instances where any supervision is exercised over the children after they leave the schools, it is done through the relieving officer; but it has been objected to this, that any continued connexion or association with the workhouse and its officials is disliked by the employers of the children, and is in many respects undesirable. Besides, in the case of girls, how could the relieving officer be in any way a friend or protector? Here it is, therefore, that the individual interest of a lady in those who leave the schools may be so beneficial and helpful in keeping the friendless and orphan in the right path when beset with so many temptations. And I need hardly say that the influence would be as great, perhaps greater, over the boys. Guardians should exercise the greatest care in the selection of places for those to whom they are the sole protectors, but it is only a personal influence which will help to keep the heart and conduct right. I may mention here that in the large reformatory schools of America, supported by the State, voluntary assistance in teaching and influencing

the children is largely admitted; and it has long been recognised in our prisons, which are thoroughly official establishments. During the last few years many improvements have been made in the legislation for the education of this class of children; the actual teaching provided for them is probably more than equal to their requirements. The Act which provided for the establishment of District Union Schools apart from workhouses has been carried out chiefly in the neighbourhood of London, where there are several, containing each some hundreds of children.* It has been often proposed to adopt this plan in country unions, but the attempt has failed from the increase of expense which would be entailed, and from the distances which children would have to be sent to them; it is also a difficulty for guardians to assemble from unions widely separated. From these causes, therefore, it seems vain to look for an increase of these district schools in the more scattered populations of the country. Is there then no choice but between these large and expensive district schools, and the small ones in country unions, containing perhaps but twenty or thirty children, and offering little or no opportunity of industrial training? The hope of an alternative seems to be held out by the recent Act which has been passed for the formation of industrial schools, which would receive the children of persons receiving out-door as well as in-door relief. Such a plan has yet to be tried, and it is earnestly hoped that the attention of all who are concerned in these matters may be directed towards it, offering as it does the best opportunity for an education free from all the associations of pauperism and the unavoidable evils of the workhouse. Such schools are intended to receive vagrant children who cannot be induced to attend ragged schools, but who would be sent to these by order of magistrates; and pauper children would no doubt be admitted to them on payment by the guardians of the cost of their maintenance.

After an inspection of many unions, it seems to me that there are but few grievances for which the poor-laws are responsible, but many which local and voluntary aid might remedy. Provision is made against abuses and mismanagement as far as they can be guarded against by rules and regulations. Printed questions are given, to be answered weekly by the guardians who meet to visit the house on a fixed day. Were they truly answered, a state of perfection would be implied. The nurses would be all 'trustworthy and efficient,' and performing their appointed duties. But we cannot hope that such is the case, or that the truth can really be ascertained by these means. Efficient superintendence, increased interest, with personal devotion and higher motives in those who are placed in authority, can alone insure the results we desire; and for the sake of all these objects we would ask many to come forward and help us in this work. We do

* There are others near Liverpool, Manchester, and Leeds. The partial failure in some of these large schools I am inclined to attribute, not so much to the system, as to some defects in the mode of carrying it out. No doubt a higher superintendence and voluntary assistance is still wanting.

not ask for money so much as for time and personal aid. The only object on which money will be spent will be in 'the formation and enlargement of workhouse libraries,' as mentioned in the prospectus of the Society, these being found to be of great service to the many unoccupied inmates. We ask for sympathy, zeal, and discretion, for there will be many difficulties to be met with here as in every other work. That the plan may be open to objections we do not deny, but I would merely ask of what undertaking may this not also be said with truth?

It is hoped that in each locality where the work is undertaken rules may be laid down by the judgment of individuals entering upon it, which it was not thought desirable for the Society to enter upon more fully. The superintendence of our workhouses is committed to masters and matrons, with salaries varying from, perhaps, 80*l.* to 200*l.* a-year. To most of them it is certainly not a labour of love, but a matter of necessity, and they look forward to an escape from it when their means will allow them to do so. This is neither unnatural or surprising. But it makes it the more desirable that we should endeavour to infuse some spirit of love and devotion, some willing sacrifice of time and service into this taskwork, that so we may redeem it from the harsh character which now it bears in the eyes of a Christian world. Kind-hearted people there may have been here and there, but no systematic efforts have yet been made, as they might be, to reclaim from still lower depths of degradation the sick, the sinful, and the outcast of our parish workhouses. Such a work remains for us to do, and though we have called it essentially one for women to enter upon, we would not by any means limit it to them, but earnestly invite the co-operation of all who have the time to devote to it.

The inquiries as to the nature and objects of this Society, which have already been received from several chaplains and guardians, make us hope that, by the time of our next meeting, we may be able to speak of many instances where the plan has been established and carried on with success.

Nothing is suggested which in any way interferes with the rules of the Poor-Law Board, or with the authority of guardians, many of whom have expressed their willingness to admit the assistance which is offered for carrying out objects which are distinct from any undertaken by them, and which can only tend towards maintaining that order and discipline which all must desire to see observed.

MISCELLANEOUS.

Indirect Taxation: its bearing on the Social Condition of the People.

[Drawn up by Mr. Macqueen, Secretary of the Financial Reform Association; approved by the Council at a special meeting, September 6, 1858; and ordered to be presented to the National Association for the Promotion of Social Science.]

THE following propositions will hardly be disputed:—1. Productive labour is the source of all wealth; without it capital cannot be created or increased,—land has no value:—all restrictions upon labour are therefore impolitic, and must be injurious to the whole community.

2. Taxation being the consideration paid to the State for the protection of person and property, it ought to be regulated according to the value of that which the subject has to be protected, and the expense incurred in its protection; it is therefore manifestly unjust to tax one subject, who has nothing but life and labour to be protected, at the same rate as another subject, who has property in addition, and this more especially because it is property which chiefly entails the necessity for expensive State establishments.

3. Taxation should be so contrived as, in the words of Adam Smith, 'to take out and keep out of the pockets of the people as little as possible over and above what it brings into the Treasury of the State.'

4. Taxation ought not to be so devised as to render its payment optional; because, if it be, the subject who is most benefited by State protection may exempt himself at the cost of others who receive, comparatively, no advantage from it. The service rendered being certain, payment for it should be certain also.

All these principles are violated by our system of indirect taxation,—which throws all manner of restrictions on labour and capital,—which exacts the same tribute from rich and poor,—which extracts from the pockets of the people, and keeps out of them, at least double what it brings into the Exchequer,—and which leaves every man at liberty to pay to the State as much or as little as he pleases, whatever the benefit which he derives from State protection.

It is true indeed that of late years the evils of this system have been partially modified by the imposition of a direct tax, which, however oppressive, because unequal in its operation, has at least two great merits—that of reaching property, and that of having rendered practicable great reductions in the taxes on articles of general consumption; but, as the repeal of this tax is now contemplated, and as such repeal can only be effected either by a corresponding reduction of expenditure—of which, at present, there seems little prospect—or by the imposition of additional burdens on commerce, manufactures, and industry, it becomes most important to consider well from what

sources the present revenue is obtained, and with what consequences to the social, moral, and physical condition of the people its exaction is attended.

According to the official 'Finance Accounts,' the total public income from taxes and Crown lands last year, was 68,257,090*l.* Towards this sum Customs and Excise duties contributed 41,186,357*l.*, or rather more than *three*-fifths; whilst Property, giving it credit for the Land Tax, the Inhabited House Duty, half the Income Tax [that being about the proportion in 1856-7], half the Stamp Duties, and the whole of the Assessed Taxes, was only 12,584,288*l.*, or upwards of a million less than *one*-fifth.*

Of course it is not pretended that all the Customs and Excise duties are paid by the industrial classes; but their whole burden, so far as they restrict employment, falls upon those classes; and moreover, these duties are so contrived as to press most heavily upon them, the percentage of taxation on the value being immensely the greatest on the lowest priced articles, such as are in most general consumption.

But, supposing this inequality did not exist, a tax upon any article in universal use is a poll-tax of the most objectionable nature. The rich man does not personally consume more sugar or tea than the daily labourer; he may, if the labourer be in full employ, at fair wages, consume considerably less, and consequently contribute less to the State; and thus, under the system of indirect taxation, the working man may pay more than the man of property, who has fifty, five hundred, or a thousand times his income. Nor does the injustice terminate here: the one is injured, the other benefited, temporarily at least, in another way. Duties are charged on foreign apples, butter, cheese, corn, meal, flour, eggs, hops, and timber. Now, the effect of these duties is not merely to increase the price of the articles imported, but also to enhance, in the same proportion, that of all similar articles of home production, and to lessen the demand for exports in return. This is clearly unjust to the consumer, and not permanently advantageous to the home-grower, who can have no real interest apart from the well-being of the whole community.

The effect of a duty on any article of consumption is to raise its price much beyond the mere amount of duty. Take, for example, the duty on tea. It yielded last year 5,459,698*l.*, being nearly five

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* The figures stand thus:—

	£	s.	d.
Customs (Finance Accounts, p. 24)	23,275,742	16	7
Excise (ditto, p. 26)	17,910,614	11	3¾
	£41,186,357	7	10¾

	£	s.	d.
Land Tax (Finance Accounts, p. 28)	1,142,173	9	3½
Inhabited Houses	754,044	7	10¼
Income Tax (Schedules A. & B.)	5,698,212	12	0
Stamp Duties (half)	3,735,313	9	3½
Assessed Taxes	1,254,544	7	1
	£12,584,288	5	6¼

times as much as the Land Tax, and very little less than the Income Tax on real property, in respect both of ownership and occupation. The average price of tea in bond is 1*s.* 5*d.* per lb. This we at once double by a tax of 1*s.* 5*d.* per lb. The duty is ordinarily advanced by the wholesale dealer, who, to cover risk and interest on his capital so advanced, makes corresponding charges beyond the common profits of trade; every intermediate dealer, down to the humblest retailer who sells pennyworths to the poor, does the like; and thus it happens that tea which, but for the duty, might be sold, with handsome profit, at 2*s.* per lb., cannot be had for less than 4*s.* From every sixpence which the poor sempstress, pining on eightpence or a shilling a day, spends on tea, the State takes threepence, as one of the expedients for exempting property from its fair share of the public burdens.

The consumption of tea in this country—*i. e.*, of the duty-paid article—averages 2 lbs. per head. In Australia, it is 15 lbs. per head; and the Custom-house allowance for ship's stores, half an ounce per day for each person on board, is equivalent to 11¾ lbs. per head per annum. No doubt, including adulterations and imitations, sold as tea, the consumption here is much more than 2 lbs.; but abolish the duty on the genuine article, and we reduce the price one-half, double or treble the consumption, double or treble our trade with China, in and for her staple product, and double or treble also the employment of all persons and trades concerned in the building, loading, and sailing of ships, in the manufacture of goods for the China market, in furnishing food, raiment, and dwellings to additional artisans and labourers—all which increase of trade must be greatly beneficial to the owners and cultivators of land. Thus we may have some idea of what the Tea Duty takes and keeps out of the pockets of the people.

As with tea so with sugar: the effects of the duty and its consequences are to double the price, and to prevent a great extension of foreign trade and home employment. It yielded to the revenue last year 5,587,816*l.** It is a singular fact that sugar, which is an excellent manure, might be used for that purpose, free of duty, more cheaply than guano; and it is not less significant that the Lords of the Treasury have formally refused to allow it to be so used. They know that the people would not submit to pay high duties on sugar if they saw it laid on the fields at half the price which they are compelled to pay for it.†

The coffee duty yielded 481,408*l.* The average consumption is 1¼ lbs. per head. In America it is 8 lbs., in Belgium 9 lbs., whilst our 'ship's stores' allowance is at the rate of 11¾ lbs. Including all the horse beans, corn, chicory, dandelion, &c. &c., sold as coffee, the

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* There are *nine* different duties, ranging from 12*s.* 8*d.* to 18*s.* 4*d.* per cwt. There is also an Excise duty of 24*s.* per cwt. on sugar produced from beet-root, or any other home-grown plant. The average price of brown sugar in bond is now about 30*s.* per cwt.

† Messrs. Bramley Moore and Co. applied to the Treasury for permission to import Brazilian sugar free of duty, to be used as manure. It was refused.

apparent average is greatly below the consuming power for the genuine article. If the duty were abolished, fraud would be diminished, and trade and employment greatly extended.

From currants, figs, oranges, lemons, and raisins, a revenue of 388,286*l.* was extracted; currants alone contributing 229,165*l.* The duty on currants is 15*l.* 15*s.* per ton, equivalent to 59 per cent. on the value. In Russia it is 4*l.*, America 3*l.* 5*s.*, Holland 1*l.* 6*s.* 8*d.*, and in France only 5*s.* per ton. Now, as our exorbitant duties prevent an immensely increased consumption of these wholesome fruits, virtually prohibiting the importation of the inferior kinds, and as the countries producing them would gladly take our manufactures, it is obvious that those duties must tell most prejudicially on our trade with them, and that nothing but our manufacturing superiority prevents the loss of it altogether.

The sum yielded by the duties on hops, malt, spirits, tobacco and snuff, and wine, was 24,072,895*l.*, very nearly twice as much as the whole produce of the Property and Income Tax, and thirteen times that of the Land Tax. It is alleged that these articles are fair objects of taxation, because they are mere luxuries, from which all may abstain if they please. The argument is specious, no doubt, but those who urge it forget two fatal objections to it, the first of which is, that optional taxation for services rendered to all, without exception, is unjust taxation; the second, that customs and excise duties are comparatively modern inventions to free land from obligations immemorially attached to it. The grantees of land at the conquest were required to provide for the military defence of the country, their tenure being that of military service. The land-tax of 4*s.* in the pound, imposed in the reign of William III. was intended as a commutation of this service. During that reign, it yielded *one-fourth* of the whole public income, loans included; it now yields *one fifty-ninth* of the taxes only, the 4*s.* having in some instances been frittered away to an almost inappreciable fraction of a farthing in the pound.

The hop duty produced 477,035*l.* Besides creating a monopoly, and encouraging the substitution of deleterious drugs, it is attended with these strange results,—a succession of bountiful crops is injurious, sometimes ruinous to the growers, whilst two or three failures are beneficial.

The malt duty yielded 5,326,022*l.* It necessitates the employment of a multitude of officers to enforce numberless annoying restrictions on the manufacture, all for the protection of the revenue, which is, nevertheless, greatly defrauded. But for these duties and restrictions many thousands of acres on which inferior wheat is now grown might be devoted to the production of the finest barley in the world. This duty affords a striking example of one of the moral evils of our customs and excise system,—the encouragement of perjury. In order to obtain a drawback on the exportation of beer, various persons, who can have no personal knowledge of the matter, are required to swear, or make affirmation equivalent to an oath, that all the excise *regulations have* been complied with in the malting and brew-

ing; and, likewise, that none of it is intended for the use of crew or passengers, though both those who impose the oath and those who take it know that bulk will be broken for this purpose as soon as the vessel gets out to sea.

The duties on spirits, home and foreign included, yielded 11,263,637*l.* They are a bounty on smuggling and illicit distillation, with all their demoralizing and crime-producing consequences. They also encourage adulterations of such a nature, that they alone may serve to solve the problem which has dismayed the philanthropist, and puzzled the physician; viz. the frightful increase of insanity. It is said that to cheapen spirits, by abolition or reduction of the duties, would be to increase drunkenness; but this is not borne out by facts. The working classes drink most when wages are low and employment scarce. It is a feeling of desperation which drives them to waste a large portion of their scanty earnings on intoxicating liquors. The native Americans are not a drunken people; yet in America the duty on proof spirits is only 1*s.* per gallon. But those who urge this plea should advocate the introduction of the cheap and wholesome wines of the Continent; or, if they object to wine as well as to spirits, and can see no better way of promoting sobriety than by imposing exorbitant duties on both, they should, at all events, join in demanding the repeal of the taxes on chocolate, cocoa, coffee, sugar, and tea.

The wine duty produced 1,733,729*l.* On all foreign wines, whether the value be 3*s.* or 60*s.*, the duty is the same, 5*s.* 6*d.* and 5 per cent. per gallon. On the highest priced wines it is, therefore, from 8 to 10 per cent. only; but on the cheaper descriptions, such as are used by the working classes on the Continent, amongst whom drunkenness is comparatively unknown, it is about 200 per cent. But for the duty, these wines might be sold at 3*d.* or 4*d.* a bottle. They are now virtually excluded; and France, in retaliation, has imposed prohibitory duties on all our products, excepting such as she positively cannot do without. There can be no doubt that this war of tariffs has had a good deal to do in encouraging warfare of another kind, which has been attended with results so lamentable between two countries most admirably situated for becoming the best of friends and customers. The abolition of our wine duties would alone go far to make free trade, to which the Emperor is known to be most decidedly favourable, an accomplished fact; and this result once attained, the two nations would soon save many millions annually, now thrown away on fleets, armies, and fortifications.

Tobacco and snuff produced 5,272,471*l.* These are unquestionably luxuries: in the opinion of many persons, who prefer other luxuries, and especially that of laying on the poor man's pipe or the old woman's snuff-box, a burden which ought to fall on the rich man's property,—they are noxious luxuries. But tobacco the people will have, and they ought to be allowed to get it on reasonable terms. The average price in bond of unmanufactured leaf is about 7*d.* per lb.; but there are finer sorts worth from 6*s.* to 8*s.* per lb. On all kinds

alike, the duty is 3*s.* per lb.,—on manufactured tobacco 9*s.* per lb., and 5 per cent. additional. On the finest cigars the duty only amounts to 112 per cent.; but on the common sorts of manufactured tobacco it is 1200 per cent. Tobacco stalks are sold by cutters and cigar makers to snuff manufacturers at 3*s.* 2*d.* per lb.; but, as they can be purchased in Holland at 1*d.* per lb., there is a bounty of 3800 per cent. on their illicit introduction. Cavendish and negrohead are prohibited, but they are largely imported nevertheless.

There is reason to believe that duty-paid tobacco does not constitute much more than one-third of the consumption, the rest being supplied by the smuggler, the adulterator, and the imitator. There is a most extensive smuggling organization, familiarizing all engaged in it to a violation of revenue law which, not unfrequently, leads to a disregard of all other laws, human and divine, and sometimes to violence, bloodshed, and murder. Very many vessels, colourably engaged in legitimate commerce, are employed in this illicit traffic. Their contraband cargoes can be insured at moderate premiums. Officers and crews are paid whether the voyage is prosperous or not; they are indemnified against penalties if it fail—rewarded with handsome bonuses if it succeed. One fortunate venture in ten covers losses; but, according to the report of a Parliamentary committee there is no such risk, the calculation being that there are fifteen cases of escape for one of detection and capture. On the same authority we learn that thousands of the population are employed in running contraband goods, and that revenue officers are bribed to connivance. The report declares that all the efforts of customs and excise to prevent extensive smuggling must be unavailing under the temptation of excessive duties. 'The nature of this temptation,' it says, 'is at once apparent from the fact that 100*l.* expended at Flushing in buying tobacco may be followed by the receipt of 1000*l.* if the tobacco can be safely landed at Hull or elsewhere.'

The timber duties realized 580,571*l.* They exhibit extraordinary mal-ingenuity. Rosewood, zebrawood, ebony, and eighteen other kinds of ornamental woods are procurable free of duty; the shipbuilder may construct his vessel of mahogany, or teak, duty free, if he pleases; but for foreign oak, and the cheap and excellent pine timber of the Baltic, both he and the house builder must pay heavy duties, whilst wood of the same species, but much inferior quality, is far more lightly taxed. Why should such a premium be given on the introduction of the dry rot into our ships and dwellings?

The paper duty yielded 1,119,433*l.* to the excise, 11,207*l.* to the customs. England, which professes so great a regard for education, is the only country in the world which imposes an excise tax on paper. The duty is the same on all kinds, irrespective of quality, being determined entirely by weight. On the kind used in sheathing ship's bottoms it is upwards of 100 per cent. On the finest tissue paper, used for plate and jewellery, it is scarcely appreciable. The paper used in packing hardware is 40 per cent. cheaper in Belgium than in England, quite sufficient to give an important advantage to the Bel-

gian rivals of Sheffield and Birmingham. The difference in the price of paper used in wrapping sugar-loaves gives to the Hamburgh refiner the turn in the market over his English competitor. And, as if to crown the absurdity, foreign editions of British books are admitted at the same rate of duty which the English publisher has to pay on his paper. Manufacturers and tradesmen of various kinds, shopkeepers without exception, publishers of books, newspapers, and letter-press of all kinds, bookbinders, type-founders, printers, with scores of other trades and occupations, and all persons engaged in education, are deeply interested in the abolition of this pernicious duty.

Happily for the country, there has been within the last few years a great amelioration of our customs' laws, many imposts having been reduced, others swept away. But the British tariff still comprises 420 articles subject to duties, besides many more not named, but taxed generically as 'unenumerated.' Many of these duties are exorbitantly high, several strictly protective, though the legislature professes to have abandoned the principle of protection; and many, though preventing the development of trade, do not pay the cost of collection. According to a parliamentary return of last year,* there are 60 articles not producing more than 200*l.* each, 53 not more than 100*l.*, 36 not more than 20*l.*, and 13 only 5*l.* and under.

From the details furnished in the Finance Accounts, pp. 21—24, it appears that the aggregate receipts on all articles imported were 23,299,570*l.* Of this amount the sum of 23,232,006*l.* was paid on 84 specified articles, the rest being entered as the produce of 'all other articles,' which, as we have seen, must be 336 in number, exclusive of the 'unenumerated.' But of the total produce no less than 22,671,717*l.* was contributed by 18 articles only,† leaving 560,288*l.* for the other 66, and 67,563*l.* for the 336 aforesaid. It will be found, on examination, that of the 420 enumerated articles, 18 yielded an average of 1,259,539*l.* each; 66 one of 8489*l.*, and 336 one of 201*l.* only. If 402 of them were exempted from all duty, it is quite certain that the remaining 18 would soon make up the temporary loss of 672,852*l.*

In the collection and protection of customs and excise duties some thousands of persons are employed. By a lack of vigilance, honesty,

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* Obtained on the motion of Mr. Ewart. No. 3 Session.

	£	s.	d.
† Butter	103,004	9	5
Coffee	481,408	16	9
Corn, Meal, & Flour	486,026	0	2
Currants	229,165	7	6
Pepper	96,317	15	0
Raisins	96,176	15	0
Silk Manufactures	231,490	3	10
Spirits:—Rum	1,381,692	10	7
Brandy	882,137	8	1
Sugar:— Unrefined	5,119,078	17	5
	£9,106,498	3	9

	£	s.	d.
Brought forward	9,106,498	3	9
Sugar:—Refined	283,246	0	2
Molasses	173,361	17	0
Tallow	76,721	15	9
Tea	5,459,698	18	1
Tobacco and Snuff	5,272,471	5	1
Wine	1,733,729	5	4
Wood:—Deals, &c.	345,796	0	7
Timber unsawn	220,194	6	4
	£22,671,717	12	1

or intelligence on the part of any one of them, high or low, the revenue may be defrauded. The total cost of this fiscal army,* including the post-office, but exclusive of the coast-guard service, lately transferred to the naval department, is stated, in the Finance Accounts, p. 17, to have been 4,449,645*l.* Adding to this sum 293,222*l.*, which was the actual expenditure on the coast-guard in 1856–7, we have 4,742,867*l.* as the cost of collecting 44,224,470*l.*, or something more than 10 per cent. The cost of direct taxation need not exceed 1½ or 2 per cent.

But pecuniary exactions, great as they are, constitute only a portion of the evil of indirect taxation. In the eye of the revenue law and its administrators, merchants, shipowners, all persons subjected to their supervision, are regarded suspiciously, as if they were constantly engaged in criminal transactions, and always plotting to cheat the Crown. They are watched, checked, obstructed at every turn, often by the most ridiculous restrictions. All are in the leading-strings of customs and excise, which often prove very heavy chains. Even the unintentional neglect of some petty formality may be followed by most serious consequences. But if smuggled goods be found on board a ship, secreted without the knowledge of captain, officers, owner, or merchants, perhaps by a mere passenger, vessel and cargo may be seized, and can only be released after much trouble and delay, to the great injury of all concerned, as well as of multitudes of persons interested in discharging her, loading her with a fresh cargo, and sending her again to sea. The loss of a day, or even of a single tide, may involve the loss of a profitable market, perhaps that of ship and cargo; but official trammels may keep her back for days or weeks. That time is money is a secret not yet discovered by customs or excise.

And, after all, the State is absolutely at the mercy of its own officers. But *quis custodiet illos custodes?* As a body they are not distinguished for sobriety, morality, or provident habits. They are exposed to the greatest possible temptations, and are constantly falling under them. Parliamentary Committees and Royal Commissions of Inquiry have, over and over again, borne the strongest testimony to these facts; though to none of them has it occurred that the only effectual remedy is to be found in the substitution of a better system of taxation, more productive to the revenue and less productive of crime. The following extracts from the report of the Commission appointed to inquire into customs frauds in silk goods, speak volumes:—'The temptation by the high duties was great, and many of the officers of customs have been found guilty of collusion in consequence of bribes. . . . The precise character of the several goods is liable to be mistaken, and the rate of duty to be levied is likely to be matter of dispute. *No salary can be assigned to the officers which can be put in competition with the*

* According to the parliamentary return, No. 201, Sess. 2, 1857, the number of men employed in the collection of excise duties on the 5th of January, 1857, was 5,449; in the collection of customs duties, 5570, exclusive of the coast-guard. From the first Report of the Commissioners, page 105, it appears that the total number of customs officers in 1856, including the coast guard, was 11,292, constituting, with the 5449 excisemen, a force of 16,741 men.

sums which they may realize by active co-operation with fraudulent importers, or by intentional negligence of the due performance of their duties. The landing officers chiefly guilty of the frauds under consideration were in the receipt of salaries quite adequate to their respectable maintenance. Mr. Homersham himself had 400*l.* per annum. BUT A SINGLE FRAUDULENT TRANSACTION MAY PRODUCE TO THE OFFICER IN ONE DAY AS MUCH AS HIS SALARY AMOUNTS TO IN ONE YEAR.' The Commissioners speak of these frauds as being 'almost unlimited;' and they express a most reasonably grounded belief that in other articles than silk goods 'frauds have been very extensively committed through the connivance of officers.'

With respect to all articles subject to differential duties, quality and duty are determined by the officer. With regard to sugar, for example, his judgment may be erroneously, but quite innocently affected in many ways; but supposing him to look through golden spectacles in the shape of a year's salary down, what is more likely than his decision that sugar of the finest quality is admissible at the lowest rate of duty? The decision may put a thousand pounds into the importer's pocket, as well as a year's salary into his own; and if the parties be true to each other, there are no means of convicting the officer of anything beyond an error of judgment.

The officers of excise are exposed to temptations equally potent. The maltster, the brewer, the distiller, the paper-maker—all who are obliged to carry on their business under excise supervision—have the strongest interest in corrupting them. The only remedy is to abolish a system so universally demoralizing in its operation.

Do away with customs and excise duties altogether, substituting for them either a tax upon real property, and upon invested capital not employed in reproduction, or a tax upon all incomes and earnings, howsoever derived, capitalized according to their market or their calculated value,—so that professional exertions and personal labour shall not be placed on the same footing as heritable property, which is the case at present,—and all classes will be benefited, without exception. By either mode of direct taxation the object would be attained.

Supposing the first adopted, the burden would soon be diffused equally over all ranks of society; and the owners of real property would soon be more than indemnified by higher rents, increased demand for agricultural produce of all kinds, and a still greater advance in the value of land, which has been constantly increasing since the partial adoption of a free-trade policy, and was never so high as at present. Instances can be named in which, in and about the great trading and manufacturing towns, it is now worth fifty, a hundred, or even a thousand times more than it was within living memory.*

Supposing, on the other hand, that all incomes were fairly taxed on

* An Insurance Company lately bought in Liverpool for 75,000*l.* a plot of about one-third of an acre, which not a century ago would not have brought 75*l.* There are quantities of land about the town now worth more per yard than it was per acre twenty or thirty years ago.

the capitalization scheme, that is at five, ten, twenty, or thirty years' purchase, as the case might be, the whole productive community would receive more than an equivalent in untaxed commodities of all kinds, and from the immense extension of all trades and professions which would certainly follow such a reform, whilst the daily labourer would have to pay very much less in a direct form than he now pays indirectly, and would have more means to pay it through constant employment at better wages.

It is unquestionably true that at present none save the rich are nearly so well fed, so well clad, so well housed, in short, so well provided with the necessaries and comforts of life, as they would be if all who are able and willing to work, with head or hand, had full employment at adequate remuneration. What a wide field, then, is here for additional imports, for an increase of all home manufactures and home productions for the home market! But that field is capable of almost indefinite extension. With our advantages, natural and acquired, comprising all the conditions requisite for industrial success, we require only perfect freedom of trade to make this country the grand depôt for the productions of the whole world.

The great and rapid growth of home and foreign commerce, the improved condition of the working classes, the extraordinary increase in the value of land, the diminution of pauperism and crime, in fine, the whole difference between deep distress and disaffection and comparative prosperity and contentment, is attributable to the partial adoption of the principle of free-trade. On the thorough application of that principle, which can only be effected by the abolition of indirect taxation, depends the solution of the question whether progression or retrogression is to be the lot of the British people.

And this is a question which affects not Britain or Britons merely, but the whole civilized world. Some nations have, in part, imitated our example, by relaxing their tariffs; others hesitate, because seeing our inconsistency, they doubt our sincerity. They place no trust in professing free-traders who levy duties of 1200 per cent.

The design of Providence in giving different soils, climates, and productions to different portions of the universe, most evidently was to make all mankind—by whatever distances separated—one family, by rendering them all mutually dependent on each other for an interchange of nature's peculiar gifts to each, and the products of their own labour. But customs and excise laws militate against this most beneficent design. They substitute for that bond of universal brotherhood, which free commercial intercourse between all nations would furnish, artificial restrictions, producing feelings of jealousy and hatred, from which actual warfare proceeds as naturally as the plant from its seed. Thousands of millions of treasure have been wasted—oceans of blood have been shed for the maintenance of an imaginary balance of power; but the best of all balances, the surest of pacificators, the most potent of diplomatists, would be a feeling of mutual interest between nations arising from mutual dependence, and this feeling can only be created and maintained by perfect freedom of trade.

Report on the Congrès Internationale de Bienfaisance, and on the Association Internationale de Bienfaisance. By HENRY ROBERTS, F.S.A.

THE similarity in the objects of the Congrès Internationale de Bienfaisance, to those of the National Association for the Promotion of Social Science, and the prospect of the third meeting of the Congress being held in London, have led to my being requested to give, on the present occasion, an account of the origin of this International Association, and of the proceedings of its two past meetings.

The origin of the Congrès Internationale de Bienfaisance is to be traced to a suggestion made at the Congrès Penitentiaire, held in Frankfort in 1847, and subsequently taken up at the Congrès Statistique, held in Brussels in 1853, when the desire was unanimously expressed of uniting, in a general Congress, those who in different countries are occupied with questions relating to the physical, the moral, and the intellectual improvement of the working classes, and the relief of the indigent. This idea was revived at the Conference Internationale de Charité, held in Paris in 1855.

At the Congrès General d'Hygiene,* held in Brussels in 1852, and attended by 150 persons, the representatives of twelve different countries, much practical information, of a philanthropic character, was communicated, and was subsequently put in circulation by the Government. The discussions on that occasion, as well as those at the Congrès Penitentiaire and at the Congrès Statistique, were preparative to, and facilitated the organization of the Congrès Internationale de Bienfaisance, which held its first meeting in Brussels in September, 1856. There were then present 297 members, of whom thirty were from England and twenty-one from France, whilst Brussels alone contributed 132. His Majesty the King and the Duke of Brabant honoured the Congress with their patronage, and assisted at one of its deliberative assemblies, as well as received about fifty of the members at a banquet given on the occasion at the Palace.

The meetings were held in the public hall of the Académie Royale des Sciences et des Beaux Arts, under the presidency of M. Charles Rogier, the present Minister of the Interior. His inaugural address, after assigning the reasons for, and justifying the priority given in the discussions of the Congress to questions relating to the material life—to food, to dwellings, to clothing, and to manual labour, which he regarded as forming in some measure the first chapter of the code of philanthropy, took an enlightened and comprehensive view of the work to be done, and of the valuable results to be anticipated from an interchange of information and experience, as well as from a peaceful rivalry of nations in the improvement of the masses of the people.

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* The Viscount Ebrington and Dr. N. Arnott were the English Vice-Presidents of this Congress.

The work of the Congress was divided by the programme into three sections. The first section treated of alimentary substances in their relation to agriculture. The second section treated of alimentary substances in their relation to political and charitable economy. Under this head was classed:—1st. The encouragement and the creation of a spirit of forethought and saving among workmen, and the Institutions intended to favour and to create such a spirit. 2nd. The creation and organization of Institutions and Societies for lowering the price of articles of food—for facilitating their acquisition by the poorer classes, and for the prevention of frauds in their quality, weight, and measure. 3rd. The means of preventing the inordinate increase of population, and especially the regular and permanent organization of emigration. 4th. The question of the abuse of strong drinks, regarded in the double light of the loss of nutritive substances employed in their manufacture, and their influence on the health and morality of the working-classses. The third section treated of alimentary substances viewed in their relationship to scientific and industrial operations; processes and inventions adapted to facilitate and bring to perfection manual labour, and to prevent accidents; the improvement of the dwellings, furniture, and clothes of the working-classes.

The Presidents appointed over the several sections were, over the first, Count Arrivabene (Belgium), and Viscount de Caumont (France). Over the second, M. Liedts, Minister of State. Vice-Presidents, Professor Schubert (Prussia), M. Wolowski (France). Over the third, the Right Honourable W. F. Cowper, M.P., assisted by M. Visschers (Belgium).

M. Dedecker, then Minister of the Interior, acknowledged on his own behalf and on that of the Minister of Justice, the distinction conferred on them of Honorary Presidents of the Assembly, and spoke with considerable warmth of the active aid given by the Belgian Government to the organization of the Congress, which he described as responding not only to the most generous aspirations of the heart of man, but also as ministering to the most imperative necessities of social order.

After the first day the morning sittings were devoted to the separate consideration of the subjects in sections, or committees, and the afternoons to the reception of reports and to general discussions The reports first presented were those which gave the experience of different countries on the subjects set forth in the programme. They were generally made by delegates from their respective Governments, or from philanthropic associations. The reports of the sections followed, some of which gave rise to much discussion. As a single example of the practical bearing of the last-named reports, may be quoted the following allusion to the preparation of food:—'Those who have entered the dwellings of the working-classes require little to convince them that everywhere, in the preparation of articles of food, there is much to be desired. It may be affirmed, that generally the housekeeper does not know how food ought to be prepared, so as to

preserve in it the nutritive qualities which it possesses, and to give it the most suitable form, so as not to cause satiety, and the distaste which is produced in man by the too frequently repeated use of the same alimentary substances. The Commission of Organization desires to accomplish a reform in this state of things, and the third section, approving fully of the object, points out the teaching of cooking in girls' schools as the most effectual means of accomplishing it. This kind of instruction has been already adopted. The general council in the Brussels Hospital employs it in its school of young orphans—it distributes even prizes to those of its pupils who distinguish themselves most in this kind of knowledge.'

A series of valuable Reports on institutions of Bienfaisance in Belgium were presented by M. Ducpetiaux and M. Visschers, to whose united indefatigable zeal and judgment the Congress is so greatly indebted.

The representatives of England who took the most prominent part in the discussions were, the Right Hon. W. F. Cowper and Mr. F. O. Ward, who dwelt at considerable length on sanitary preventive measures. The reports and documents emanating from Great Britain, though detailed in reference to sanitary measures, and to the temperance question, were in general brief, as compared with those presented from other countries, France alone excepted. A reference to some of these valuable documents will suffice to show their general character, and the extent of that field of experience which they open for investigation. From Holland, M. de Baumhaur reported that with a population of little over 3,000,000, there are about 6000 institutions of bienfaisance, of which 3639 are for affording assistance to the poor at their own houses. The veteran philanthropist, M. Suringarr, stated that there were upwards of 300 in Amsterdam alone. Austria was represented by M. Maurice de Stubenrauch, who referred to the reasons often assigned for the general freedom of that vast empire from the plague of pauperism, and to the variety of means adopted, according to the circumstances and wants of the inhabitants of its different provinces. He alluded also to the instruction given to girls in all that relates to domestic economy. From Sardinia the Chevalier Bertini stated what had been done in Piedmont during the past few years to relieve the sufferings of the labouring classes, mainly caused by the *crise alimentaire* and the failure of the vintage, whilst, amongst other interesting facts, he gave the annual expenditure by the municipality of Turin, in the elementary instruction of both sexes, which in 1856 was 225,800 francs, being quadruple that of the years anterior to 1848. Professor Cherbuliez, of Zurich, made an instructive statement with reference to pauperism in Switzerland, showing how similar in this respect had been the experience of England and Switzerland, and, amongst other general conclusions, drew the most important one, that moral misery is almost always the cause of physical misery, and that it is therefore of little use to alleviate the one if the other be neglected. M. le Baron de Gunus, referring to the increase of pauperism in the largest canton of Switzerland, that

of Berne, attributed it principally to the increased consumption of alcoholic liquors, which the Government, since 1830, carrying the free trade principle too far, has not restrained. Professor Wolowski, member of the Institute of France, in opposition to some remarks which he deemed an attack on the division of property in France, gave a series of results to show the continued progress of that country in wealth and material prosperity. In the general statement which he made, the metropolis of France was thus alluded to, 'Paris is transformed. It has become an entire new city, whole quarters have disappeared. They are the quarters which were filled with narrow winding streets, where the sun never appeared, and where the air could scarcely circulate. Without doubt there is in regard to healthiness a very notable improvement, and the population of Paris cannot fail to gain in the long run by this grand transformation. But in the mean time, as there have been included in this destruction a great number of dwellings, the prices of which suited humble means, whole populations find themselves as it were driven from the shelter under which they had lived, and experience a frightful difficulty in obtaining suitable dwellings.

Most of the Reports from different countries referred to measures recently adopted for improving the dwellings of the labouring classes either by means of legislative enactments or by associations, which were stated to be, in many instances, already in successful operation. But one opinion prevailed as to the prime importance of such efforts, and their widespread necessity, for the prevention of disease and its attendant evils, not only in thickly-populated towns, but also in numerous rural districts. This subject was treated of in the Report of a special commission, presented by M. Emile Muller, a French engineer, who alluded to the practical commencement of the work in England in 1844, and to its extension on the Continent since the meeting of the Congrès General d'Hygiene in 1852, when the question was much discussed. M. Muller also referred to the impulse and guidance given to it by the extensive circulation of an English work translated into French, and widely distributed by order of the Emperor. As a Report on the same subject, I presented to the Congress, and distributed, a pamphlet in French, giving the results of efforts for the improvement of the dwellings of the working classes in England, and likewise proposed the following resolution, which was adopted unanimously:—'The Congress declares that it is of public utility that the working classes be enlightened by all possible means in regard to the improvement and the keeping of their houses in good order. It declares that the instruction of the young in the labouring classes ought to comprise all which relates to the cleanliness of their persons and of their dwellings, to the benefits resulting from good ventilation, and the evils arising from humidity. Lastly, it thinks that the study of the science of preserving health is one which ought to be rendered accessible to all.'

This allusion to my own efforts would not be made but for the illustration which it affords of the practical benefits to be derived

from the meetings of the Congress, and with this view another resolution proposed by me, and unanimously adopted at the Congrès d'Hygiene in 1852, is quoted. The Congress on that occasion declared 'the utility of establishing in each country, and also in the principal centres of the population, a collection as complete as possible, a kind of museum, where shall be gathered together models, plans, specimens of materials, &c., relating to hygienic amelioration and progress.' The temporary exhibition of domestic economy, opened in Brussels during the sitting of the Congrès de Bienfaisance, though bearing a close affinity to the permanent museum contemplated by this resolution, of which indeed it might justly be considered as an expansion, was a more immediate and direct result of the zealous efforts of Mr. T. Twining, mainly in connexion with the Society of Arts of London, and the Paris Exhibition of 1855. The distribution of medals to the contributors to this exhibition of domestic economy, made by his Royal Highness the Duke of Brabant, formed an appropriate and interesting termination to the proceedings of the first meeting of the Congress.

The second meeting of the Congress, which was held in Frankfort-on-the-Main, commenced the 14th and ended the 18th September, 1857. It was attended by 170 persons, of whom nine were from England, nine from France, fourteen from Belgium, and fifty-six were residents in Frankfort. The remainder comprised representatives from Holland, Prussia, Denmark, Sweden, the Russian Baltic Provinces, Austria, Bavaria, most of the minor German States, Switzerland, Lombardy, Spain, Portugal, Algiers, and Brazil; in all there were present the representatives of upwards of twenty different countries. The general assemblies were held at the Hotel de Ville, in the Kaisersaal, the hall of the Roman Emperors; a noble apartment adorned with full-length portraits of forty-six German emperors and kings, who reigned from A.D. 912 to 1792. It is remarkable as the scene of the ceremonies connected with their election, and was placed by the Senate at the service of the Congress. The highest civil authorities attended the opening meeting, and at that, as well as at most of the subsequent public sittings, many ladies were present. These sittings commenced at one o'clock, and they, as well as the morning sectional meetings, followed the order adopted at Brussels.

After the reception of the programme prepared by the Committee of Organization, and the constitution of that body as a permanent bureau, M. Von Bethmann Hollweg, Privy Councillor and member of the Chamber of Deputies at Berlin, was chosen President. At the close of his eloquent address the representatives of seven different countries were added to the bureau as vice-presidents, M. Ch. Rogier, the President of the first Congress, being one of them. M. Edouard Ducpetiaux, Dr. Varrantrapp, and Dr. Schlemmer acted as secretaries, whilst M. le Pasteur Bonnet, of Frankfort, M. Visschers, of Brussels, and Professor Mittermier, of Heidelberg, were chosen Presidents of the three sections into which the work of the Congress was divided.

The First Section treated of Charity or Philanthropy. 1. The

objects and limit of public relief; the establishment by law of poor-houses for the indigent. 2. The co-operation of employers in the improvement of the condition of their workpeople; the connecting of philanthropic and provident institutions with industrial and agricultural establishments; international conventions relative to industrial works. 3. The position of domestic servants; means of improving the condition and of providing for the future prospects of servants of both sexes. 4. Special guardianship of poor children; of those who are abandoned, vicious, or morally neglected; patronage of apprentices. 5. Means of remedying the abuses of strong drinks, and of arresting the progress of intemperance.

The Second Section treated of Education. 1. The means of encouraging, improving, and extending popular instruction and education; compulsory attendance at schools. 2. Infant education; creches or public nurseries; schools for infants, or children's gardens (Kinder Gärten). 3. Organization of elementary, industrial, and agricultural instruction.

The Third Section treated of Prison Reform. 1. The solitary system; the conditions to which it ought to be subjected, and the limits to which its application should be restricted. 2. Provisional or conditional liberation; supplementary detention. 3. Reformatories, and special establishments for the education and the reform of young delinquents, mendicants, and vagabonds, and vicious, abandoned, or morally neglected children.

Under the above heads the programme presented a detailed and very carefully prepared scheme for the deliberative discussions of the Congress. It may, however, be well to notice that, towards the close of the meeting, it was decided that, for the future, a more restricted programme should be adopted, one which could be compassed within the limited period devoted to the meetings of the Congress, and that in order to allow time for ripening the fruit of the seed sown at Frankfort, the Congress should not assemble in 1858.

One question embraced under the First Section, 'The liberty of Private Charity,' or the right of the State to interfere with the exercise of private charity, having been recently agitated in Belgium, and there given rise to grave political complications, was withdrawn by the Committee of Organization out of deference to conflicting opinions, already strongly pronounced by members of the Congress. Subsequently, the Congress accepted an offer made by M. Mathias Rosen, of Warsaw, to give a gold medal, or its value, 200 florins, for the best Essay on this subject, to be written in French, and delivered to Dr. Varrantrapp, at Frankfort, before the 1st September, 1858.

The gold medal offered at the first Congress by M. Dutiône, of Amiens, for the best Essay on 'The Causes and the Results of Intemperance, as well as on the means of combating and preventing it,' was adjudged to M. Bouguié-Lefebvre, of Brussels, who on receiving it from the President, gave a practical illustration of the spirit of the Congress, by placing its value, 300 francs, in the hands of the Burgomaster for distribution amongst the deserving poor of Frankfort.

To quote at any length the various exposés of facts, with important statistical information communicated by the representatives of the different countries which have been named, or to attempt an abridgment of the valuable reports presented, with the resolutions adopted in the sections, or of the discussions which preceded the final decisions of the Congress relative thereto, would lead beyond the limit of a mere outline of the proceedings. It may, however, be right to name the communications which emanated from Great Britain. Sir Stafford Northcote, Bart., gave some details, and presented a report on Reformatory Institutions. Mr. Edward Akroyd, M.P., communicated a paper on the development of the Factory System, and on the best means of improving the relation of employer and employed. Colonel Jebb sent a communication on Penal Servitude and Conditional Pardons. The Temperance Societies were represented by Dr. J. M. M'Culloch, Dr. F. R. Lees, and Mr. T. Beggs, each of whom contributed a notice on that question. The author of this report presented a statement of the progress of popular education, and the instruction of the industrial classes, on sanitary reform, and the improvement of workmen's dwellings.

One important feature, as distinctly traceable in the second, as it was in the first meeting of the Congress, deserves particular notice, viz., the general agreement that a marked line should be drawn between voluntary and involuntary misery, the pressure of a feeling of responsibility being the only remedy applicable to the former, whilst, in regard to the latter, the relief of the necessitous and the suffering poor is an obligatory duty. At the same time, the conviction was strongly manifested that results, incalculably more valuable, unalloyed, and permanent, may be anticipated from a study of those various forms of human misery which call into exercise philanthropic effort, if the investigation be mainly directed to the discovery, and the practical application of the best preventive measures. Viewed in this relationship to the work of the Congress, the words of M. Charles Rogier in his opening address have much point. 'What can be more instructive, more fruitful, than these inquiries, this exchange of information, these mutual lessons of nation to nation, and these eloquent facts gathered from the lips of the most distinguished, the most competent, the most truthful men? Is not this the commencement of a profound reform, and of a new progress in the relations of governments and of people?'

Another characteristic feature deserves to be mentioned, that in an assembly, consisting of so many members of various religious communions, and where subjects were treated of which naturally called forth the expression of strong religious principle, as well as the unhesitating assertion of its great practical value and influence, nothing like discord, arising out of a forgetfulness of the feelings of others, was manifested, whilst, to the decided and very practical statements of Dr. Wichern, founder of the well-known Rauhe-Haus, or reformatory, at Hamburg, and a most zealous promoter of the Home Mission which exercises such an extensive influence in

Germany, M. Ducpetiaux, Inspector-General of Prisons and of Charitable Establishments in Belgium, declared that 'in his quality of representative of a country essentially Catholic he gave his full consent.'

The only difficulty really felt at the Congress arose from the use of German as well as French, a latitude which involved the loss of time and suspension of interest whilst translations were made from one language into the other.

As at the Brussels Congress, one lady, Madlle. Frederika Bremer, contributed an interesting paper on the agency of females in philanthropic objects, and on their employments as a means of livelihood, so at Frankfort, another lady, the Baroness von Marenholtz gave some valuable information on the establishments designated Kinder Gärten, a modification of infants' schools, to the reform of which Madame von Marenholtz has for some years devoted herself, and has had the satisfaction of seeing about fifty schools established in Germany on the system she advocates. A detailed description of the method employed is given in the 'Compte Rendu' of the Congress.

The meeting of the Congress held in Brussels having decided that 'it is desirable the International Philanthropic Congress should become a permanent Institution,' it became necessary to create a permanent bond, which would unite the hitherto scattered elements, and establish definitively the personnel of the Association. With this view the following *statutes* were compiled, and being unanimously adopted, they received the signature of upwards of 100 adherents, persons mostly known by their useful labours, and belonging to more than twenty different countries. *The objects of the Association Internationale de Bienfaisance* are—1. To place in relationship persons who in different countries interest themselves in the improvement of the condition of the working and indigent classes. 2. To form a kind of bond between the institutions and associations of a philanthropic, provident, and reformatory character, as well as those relating to popular education, which bond would afford the means of contributing to their mutual enlightenment and assistance in case of need. 3. To establish a permanent exchange of information, of official documents, of reports and of publications, between the members of the Association and between the countries associated. 4. To make known and to recommend useful projects and institutions. To verify the experiments and experiences as well as to encourage the works which are in their nature interesting to the Association, and likely to exercise a useful influence on Society in general.

The organization and management of the Association. The Association is to unite all persons who, in different countries, interest themselves in the improvement of the condition of the working classes and the poor, and who are willing to adopt its regulations. It is to be directed by a council composed of members of different countries —the first council being designated the Bureau of the Congrès International de Bienfaisance at Frankfort, and to have power to add new members. They will in each country place themselves in rela-

tion with philanthropic and provident societies and institutions of public utility, which may be united to the International Association. The members of the council belonging to the same country shall, as far as possible, form amongst themselves an auxiliary agency, to correspond with the central agency. The auxiliary agency may be confided to an existing agency. The members of the Association are to be admitted by the agency of the nation to which they belong, by the central agency, or by their delegate. A payment of ten francs per annum is to be made by each member, applicable to the general expenses of the Association, and to the publication of the bulletin of the International Correspondence. The members of the Association are to be entitled to such documents as they may require, and the Association can obtain for them. Circular letters are also to be given, which will place members in relation with the agencies of other countries, in order to facilitate their researches.

The central agency will publish in French, every six months, or oftener if necessary, a *bulletin*, containing a list, and as far as possible, a summary analysis of the publications, reports, and documents relating to the objects of the Association. The council and the agencies of the different countries will concert together for the organization and meetings of the Congress. The locale of the central agency is provisionally fixed at Brussels.*

The prospectus of the Association Internationale de Bienfaisance, of which an abridgment only is here given, has annexed to it a description and classification of documents and publications, ranged under 12 main, and 124 minor divisions. It is comprised in the 'Compte Rendu'† of the second meeting of the Congress, published in two volumes, the first, almost exclusively in French, contains the general proceedings of the Congress, and the second consists of forty communications either in French, German, or English.

In terminating this brief and imperfect outline of the past proceedings of the Congress, I cannot but allude to the deep conviction manifested as to the important results which may be anticipated from an efficient carrying out of the designs of the Association, including the International Correspondence, a branch, the value as well as the interest of which it would be difficult to over-estimate. I venture further to add the expression of an earnest hope, that, as it is intended to hold the next meeting of the Congress in London, such preliminary measures will be taken, as not only to secure the rendering justice to our philanthropic institutions, and of substantiating the claim of Great Britain to the foremost rank in works of practical benevolence,

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* Communications for the Central Agency should be addressed to M. Ed. Ducpetiaux, Rue des Arts, No. 22, à Bruxelles. For the British Auxiliary Agency, they may be addressed to G. W. Hastings, Esq., General Secretary to the National Association for the Promotion of Social Science, 3, Waterloo Place, Pall Mall, London.

† The 'Compte Rendu,' both of the first and second meeting of the Congress, may be obtained of Mr. H. G. Bohn, Publisher, York-street, Covent-garden, London Each is in 2 vols. 8vo, price 6s. or 7 f. 50 c.

but also that our experience will be presented in such a form as to make it of real use in other countries, and thus become a means of 'doing good to all men.'

Notes on the Free Library and Museum of the Borough of Liverpool. By J. A. Picton.

The growth of Liverpool has been so rapid and so exclusively commercial, that it could not be wondered at if trade and commerce far outstripped the progress of art and science amongst the busy multitudes attracted from all quarters. There have, however, not been wanting at every period a few individuals who have been keenly alive to the beneficial influence of literature, and have done their best to supply the lack. In the year 1758 the commencement was made of what subsequently formed the Liverpool (proprietary) Library, now a large and flourishing institution, the centenary of which was celebrated a short time since. In the year 1798 another valuable institution, the Athenæum, which now possesses an extensive library, was set on foot by the efforts of Mr. Roscoe, and other kindred spirits, and in the year 1817 the Royal Institution was established under similar auspices. But these institutions were proprietary, not public in the proper sense of the term, and their influence, though beneficial so far as they went, was necessarily extremely limited: several attempts were subsequently made with more or less success to establish libraries to which the people might have access.

In 1820 the mechanics and apprentices' library was established, mainly through the exertions of the late Mr. Egerton Smith. In 1825 the Mechanics' Institution was inaugurated. Some time afterwards an institution, called the Brougham Institute, intended for the instruction of the masses, was opened. These establishments all proved useful in their several spheres of action, but were not able to meet the necessity of the time in regard to the supply of books. So much was this felt, that, when early in the year 1850, the subject of a free public library was mooted in the Town Council, it met with a favourable response from all quarters, and a committee was at once appointed to consider and report.

In the year 1850, the Public Museum and Libraries Act did not exist in its present form, enabling the inhabitants in public meeting assembled to impose a rate for the maintenance of such an institution. Another course had therefore to be adopted. The committee appointed by the council having reported favourably on the proposed scheme, a meeting of the principal inhabitants was called by circular, and a committee appointed to obtain subscriptions and donations of books. The amount thus raised was about 1350*l.* in cash, but, with one or two exceptions, very few books of much value were presented gratuitously. A donation of 1000*l.* was voted by the Town Council out of the borough funds towards the purchase of books, and the

committee set to work vigorously in forming the nucleus of the library. An opinion prevailed to some extent that this public library ought to be almost, if not entirely, for the use of the working classes, and that in the selection of books those of an elementary and popular character should be mainly, if not entirely, kept in view. This opinion, so far as relates to the central consulting library, has from the first been steadily disavowed and repudiated by those who have taken the warmest interest in the establishment of the library. They have uniformly resisted the idea of catering for any particular class in a great public institution. Their principle has been to procure the best works on every subject of human thought or inquiry, irrespective of class or party, and to their steady adherence to this maxim is to be attributed in great measure their subsequent success.*

Whilst the library was in the course of formation a circumstance occurred which gave a considerable impulse to the institution in another and kindred direction. The late Earl of Derby, one of the most distinguished naturalists of his day, had made large collections of zoological specimens, principally birds. Previous to his decease he had directed that these should be presented to the town of Liverpool on condition that a suitable place should be provided for their reception, and provision made for their public exhibition and preservation.

The donation was gratefully accepted, and it was determined to combine the museum and library under one management, under the direction of the Town Council. To carry out the arrangements, an Act of Parliament became necessary, which was passed in the summer of 1852. Under this Act, power is given to levy a rate of a penny in the pound on all property within the borough for the maintenance of the library and museum. The Council purchased a suitable building, which, with the alterations, cost about 3600*l.* out of the borough fund. The library was opened on the 18th of October, 1852, and the museum on the 8th of March, 1853.

A demand having arisen for a lending library in addition to the reference library and reading-room, two branches were opened in October, 1853, for that purpose. These have been extended and enlarged with the growing demand down to the present time.

It was very soon found that the collections of the Earl of Derby, with other additions to the museum, required far more room than was afforded by the available space. The Reference Library also became so crowded with readers that some enlargement became a matter of necessity. Whilst deliberating on the ways and means for effecting this, Mr. William Brown, M.P. for South Lancashire, nobly came forward with an offer of 6000*l.* towards accomplishing the object. The Town Council at the same time voted 10,000*l.* towards the site, besides the appropriation of a valuable plot of land in their possession.

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* In reference to the lending libraries a difference undoubtedly exists. They have been mainly designed for the use of those who have not the means of procuring books for themselves.

Mr. Brown subsequently most generously took upon himself the sole charge of erecting the building at a cost of about 35,000*l.*

In the Reference Library and reading-room, the number of volumes at the opening in October, 1852, was 8296. These have been increased in six years to 26,708, including many of the most expensive and valuable works in every department of art and science.

During the first year, 128,638 vols. or about 456 per day, were issued. These issues have continued steadily to increase, until during the year just concluded, they have reached the number of 195,453 volumes, being an average of 686 per day; this is about 7½ times the number of volumes in the library, or, in other words, each volume has been on the average issued 7½ times during the year.

An analysis of the books read would occupy too much time, but it may be interesting to state that a gradual change has taken place in the classes of books most in demand. In the first instance novels and works of imagination amounted to the proportion of 52½ per cent. of the works issued, whilst during the past year they amount to only 34 per cent. The demand for history and general literature has increased from 26½ to 40 per cent. of the issues; that of art and science from 10 to 15 per cent. The demand for religious works has continued stationary, being about 4 per cent of the issues.

The individuals frequenting the library do not belong to any class of society in particular. Many clergymen and students of particular subjects frequent it for the sake of rare and valuable books, difficult to be procured elsewhere. A large proportion belong to the operative classes, and of these again many are youths in their apprenticeship. The conduct of the readers and the care taken of the books have been beyond all praise; and it is a remarkable fact that during a period of six years, and out of an issue of books not far short of a million, the whole of the losses from theft have not exceeded two or three pounds in value.

Many artisans have expressed their gratitude for, and their high appreciation of, the privilege of consulting valuable works in their various departments, more especially in ship-building, ornamental designs for cabinet and iron work, and the various branches of practical science.

The results of the lending libraries are, if possible, still more interesting than those of the central reference library. The lending libraries form two branches, located in the north and south districts of the town. They are open daily from 10 to 5, and on four evenings in each week from 6 to 9. They were opened in October, 1853, with about 2000 books and thirty readers. The progress made during five years is something remarkable and almost unparalleled. The number of volumes now amounts to 20,628, and the issues during the past year to 391,413, or 7527 vols. per week. The number of tickets conferring the privileges of the library issued from the commencement is 16,992.

Many interesting details might be given, did time permit, of the working of the institution. A few only must suffice. It may be

remarked that, since the opening of the lending libraries, the demand for books has increased much faster than the supply. During the first year, with 4435 volumes, the issues were 35,978, each volume being on an average lent out eight times. During the last year, with 20,628 volumes, the issues have been 391,413, each volume on the average having been lent out nineteen times. Of course, the books are in demand in various proportions. Macaulay's *History of England* circulated during the past year 130 times; *Life of Bonaparte*, 141 times; *Wellington*, 126 times; *Nelson*, 91 times. It is gratifying to find such works as *Reid on the Steam-Engine* circulating 54 times during the year; Herschel's *Astronomy*, 25 times; Chalmers' *Bridgwater Treatise*, 24 times; Donovan's *Chemistry*, 31 times.

A very natural inquiry may be made as to the class of persons who derive benefit from this institution. This I am enabled to answer from a careful analysis made by the superintendent librarian. The present borrowers are in number 7755, who are classified as follows:—

Merchants' and shopkeepers' apprentices, office lads, and school-boys	1832
Mechanics, labourers, warehousemen, and police officers	2826
Clerks and shopmen	1390
Teachers and scripture readers	222
Shopkeepers and retail traders	186
Students and those engaged in professions	60
Business not ascertained, principally females	1239
	7755

Of these, 3395, or 43½ per cent., are under 21 years of age. A change in the proportion of juvenile readers has been in gradual progress. At the end of the first year, the number of readers under 21 amounted to 62 per cent., showing a decreased proportion of juveniles of 18½ per cent. The most satisfactory mode of accounting for this difference is, that the juveniles of four years ago have become the adults of to-day, and, still continuing their privileges in the library, tend to increase the proportion of the seniors. This is a most hopeful sign of the carrying forward of the work of self-education through the maturer years of life. Another very gratifying indication is the increased proportion of female readers. At the close of the second year, which was the first in which the sexes were distinguished, out of 4244 readers, 365, or about 8½ per cent., were females. By the last return, out of 7755 readers no less than 1372, or above 17½ per cent., were of the gentler sex. When we contemplate the large amount of injury inflicted on society by the gross neglect of female education, symptoms of a better state of things are welcome and cheering.

A little more than twelve months since the attention of the Committee was called to the desirability of procuring a supply of books

in embossed printing for the use of the blind. An experiment was made by the introduction of a few volumes, which were soon eagerly sought after. Although books of this class are somewhat expensive, the claims of our blind brethren were felt to be imperative, and the library of the blind has been extended to 441 volumes, with 34 readers, who express themselves in very grateful terms for the privilege enjoyed, which has been, in the words of one of them, 'like the opening up of a new world.'

The issue of books is entirely gratuitous, the only requisite being the signature of a guarantee note by two householders. A small fine is inflicted in case of a book being kept beyond the specified time. This is always cheerfully paid, and, though trivial in each case, the total amounted, during the last year, to the sum of 102*l.* 13*s.* 3*d.*

Individual instances are continually occurring of the great boon conferred on the industrial classes by the establishment of these libraries. During the severe weather in the winter months, when large numbers are thrown out of employment, the privilege is largely used. A house-painter, whilst out of work in such circumstances, read through eleven volumes of Thiers' *History of the Consulate and the Empire*, and was thereby led into a regular course of study. A stonemason, out of employment, stated to the librarian that he felt it a great boon to be able to take a book home to his own fireside. Formerly he could not bear being about the house when out of work, and must go, to pass the time, to the public-house, and have his glass of ale and pipe: now, he never thought of stirring out whilst he had a good book to read. Another recently stated that his library rate of a few pence had saved him many a pound since the opening of the libraries.

It is a noticeable circumstance that the larger proportion of solid reading is amongst the really working classes, the lighter literature more among young men in offices and shops.

The existence of institutions like the one just described is a great fact which, in estimating the influences at work in moulding the habits, thoughts, and feelings of our countrymen, cannot be ignored or treated lightly. Public opinion is in the end omnipotent, not only in politics, but in every department of social life; and the greater the extent to which enlightened thought can be brought to assist in its formation in every stratum of society, the more stable will be the foundations of the social edifice, and the nobler the structure as a whole.

SUMMARY OF PROCEEDINGS IN THE SOCIAL ECONOMY DEPARTMENT.

THE Right Hon. Sir James Stephen, K.C.B., presided over this department throughout its sittings, Mr. Charles Hawkins officiating as permanent, and Mr. Philip Rathbone, and the Rev. J. S. Steinthal, as local secretaries. It was found necessary to divide the department into two sections both on Thursday and Friday. The second section, on Thursday, was set apart for the consideration and discussion of several papers on the subject of Prostitution, and was presided over by Lord John Russell. On Friday Lord Brougham took the chair of the second section, which devoted itself entirely to the question of Decimal Coinage, Weights, and Measures. In addition to the papers which have been printed in full, the following were contributed to the department, and read at its meetings:—

'Suggestions for the Institution of a new Social Science, under the name of Comparative Sociology,' by the Rev. W. N. Molesworth.

'Population and Food—the Necessity for their Due Adjustment,' by T. H. Bastard.

'The Voluntary Classification of the People of Liverpool,' by the Rev. A. Hume.

'On the Importance of Adapting Mechanics' Institutes to the Needs of Illiterate Men,' by the Hon. and Rev. W. H. Lyttelton.

'The Social Causes of Insanity,' by the Rev. A. Wallace.

'On the Results of Emancipation,' from the British and Foreign Anti-Slavery Society.

'The Causes of Commercial Speculation,' by L. M'Phinn.

'Statistics, Facts, and Figures, relative to the Liverpool Workhouse,' by R. Gee, M.D.

'Defects in the Scottish Poor Law,' by the Rev. Dr. Begg.

'Prostitution: its Aids and Accessories,' by N. Caine.

'Illegitimacy: its Consequences and Remedies,' by W. Acton.

'Domestic Service as a Means of Education,' by J. T. Danson.

'The Hospital de Menages,' by Henry Roberts.

'Public Drinking Fountains,' by C. P. Melly.

'Relation between Employers and Employed,' by John Frearson.

'Mutual Life Insurance Benefit Societies,' by Professor More.

'Penny Banks; a necessary Supplement to Savings Banks,' by the Rev. J. E. Clarke.

'Provident Dispensaries,' by J. Ogle, M.D.

'Provident Dispensaries,' by the Rev. C. H. Hartshorne.

'The Use of Climbing Boys in Sweeping Chimneys opposed to Educational and Social Progress,' by Joseph Jones.

'On the Disadvantages of the Ordinary System of Money in Education,' by W. Brown, M.P.

'An Account of the Plan, Object, and Progress of the International Association,' by S. Browne.

'The Advantages of the Metrical System in its Educational Aspects,' by the Rev. A Barrett.

'Plan for Obtaining a Common Currency in France, England, and America,' by J. A. Tefft.

'The Requisites for a Good System of Decimal Coinage,' by James Yates, F.R.S.

'On International Measures,' by Theodore Rathbone.

'Proposed Plan of Decimal Coinage,' by the Rev. C. H. Bromby.

The reading of a group of three papers on subjects connected with the study of economic science opened the proceedings. In addition to the papers by Mr. Danson and Mr. W. B. Hodgson, printed in full from page 547, the Rev. W. N. Molesworth offered suggestions for the institution of a new social science, under the name of 'Comparative Sociology,' in which the principle of comparative anatomy, that of proceeding from the simplest type to the most complicated and highly developed condition, would be applied to the investigation of the natural laws which regulate society. This investigation should be preceded by a careful study of the individual man with a view to ascertain the laws of his physical, mental, and moral constitution. The social laws should then be observed—1st, in the married couple; 2nd, in the family; 3rd, in the community, whether village, town, or city; 4th, in the nation; and 5th, in the world-wide society of mankind. He then proceeded to illustrate the nature of the proposed science by pointing out its application to the three first departments of the Association. As to Jurisprudence, he would begin by endeavouring to ascertain the natural principles which ought to govern a parent in correcting the faults of his children and deciding their quarrels; he would then proceed to the study of the extensions and modifications to which these principles should be subjected in dealing with the petty offences and disputes of the village or town, and of the further development they would receive when applied to the crimes and the more complicated questions of which the nation should take cognizance, and finally, passing on to the wider subject of international equity.

Again, in the department of Education, he would consider the manner in which the parent ought to begin from the earliest years of the infant to educate, that is, to draw out and develope the moral feelings, the mental faculties, and the physical powers of the young child, regarding all subsequent teaching as a prolongation of this primary and most important education; how the school should supplement the parental teaching, and the successive steps by which the person under education was to be fitted to discharge the duty of his station and profession to the family, the community, the country, and the world. In the third department he would study the fundamental nature of punishment in the family, how far it should be reformatory, and how far exemplary, and pursue the types thus established through their successive modifications in the more complicated stages of society.

The Rev. Dr. Hume read, and illustrated from a map, a paper on the voluntary classification of the people of Liverpool. He observed that large masses of town population had a tendency to group themselves into classes, inhabiting different localities, and that this tendency was very strongly marked in Liverpool. The causes which determine this grouping are (1), *occupation*, for instance—the river margin fixes the site of the docks, the docks determine the position of the warehouses, the warehouses of the current of traffic. Along the line of the docks may be found all persons connected directly with maritime affairs, and all those connected with employments and places which supply the wants of sailors and of their ships. (2), *Social Grade:* The wealthier classes outside the margin of dense building, and changing their locality with the enlargement of the town. The poor in whole 'blocks' of streets remote from the leading thoroughfares, where ground is least valuable. The middle classes at intermediate positions. (3) *Birth-place:* The Irish occupy certain extensive areas almost exclusively, and in minute detail persons from one county or town associate together.

There is, he stated, a well-defined region of pauperism, and that region coincides with the region of excessive mortality. In the pauper district the average of life in 1853 was fifteen years. This quarter, the field of deadly epidemics, is also the chief scene of violent deaths. He remarked that sometimes poverty and immorality group themselves curiously, the foci lying near but not coinciding, and the two being in inverse proportion at the two centres. He believed it was better that certain evils should be condensed than diffused, as it was better that crime should be in a gaol and fever in an hospital. But on the other hand, this grouping tended to intensify class prejudices.

Mr. T. H. Bastard read a paper on 'Population and Food,' in which he traced the chief evils of society, such as dishonesty, violence, drunkenness, and ignorance, to the want of a due adjustment of food and population; the excess of the latter causing an intense pressure and struggle for the former, with the effect of precluding, or at least obstructing moral action, as well as the application of moral remedies. He held it impossible for the increase of food to keep pace with the increase of population, and that consequently a remedy must be looked for from measures preventing the increase of population. He instanced the case of a labourer in a rural village, where wages were low, say 10*s.* a week; with this, as a single man, he could maintain himself very well. He married and had one child, and still did pretty well, but with a second he began to feel a heavy demand on the food he could supply, and with the third child pinching came in every way, which was sorely aggravated as the fourth and the fifth were added to his family. He was, however, a good man, and with neighbourly help struggled on, but the wan faces and unhealthy looks of himself, wife, and children, showed the deprivations and misery to which they were exposed. Or he might be a selfish man, with little moral courage, and as the pinching from insufficiency of food, and the cares

of his family pressed on him, he resorted to the public-house for distraction; nay, he might so far yield to the pressure as to be a criminal, and steal, with lamentable effects on the moral state of his family. With some experience of village life he felt justified in stating that there could be very few villages, of some 400 inhabitants, where there were not several families who came under one of the above descriptions. The same process was going on in towns, but on a larger scale. The remedy rested with the people themselves, and depended on the exercise, on their part, of due moral restraint in the prevention of early marriages. He recommended an especial teaching, through the pulpit and otherwise, of the necessity for such a course. In the discussion which followed the views of Mr. Bastard with regard to the urgency for a preventive check on population did not gain much assent. Several of the speakers pointed out the world-wide relations of the subject, and no alarm seemed to prevail as to the failure of food to meet the growth of population.

The Hon. and Rev. W. H. Lyttelton read a paper 'On the Importance of adapting Mechanics' Institutions to the Needs of Illiterate Men.' He thought the future prospects of working men were not sufficiently taken into account in schemes for their education. It was not to be expected that they would all be reading men, even under the best and most extended system of education. All belonging to the higher and more leisurely classes were not so, and perhaps it was well they were not. We could not tell how much of national manliness and vigour we might lose if we had fewer *out-door* men. To working men the inducements to study were small, and the majority could not be expected to devote themselves to it. He, therefore, thought it would be a great and mischievous mistake in conducting Mechanics' Institutions to give to all, or even to the larger part of their books and lectures a high intellectual character. His object was to put in a plea for unlearned people, to protest against the undue importance attributed to the formation in the minds of working men of studious and literary habits, and to plead for a higher appreciation of less severe and less intellectual pastimes and pursuits.

On Thursday the department sat in two sections. In the first, presided over by Sir James Stephen, after the papers on Emigration had been read, Lord Brougham introduced a communication from the Secretary of the Anti-Slavery Society by a few observations on the importance of ascertaining the results of emancipation.

Mr. Chameronzow then proceeded to read the paper, prefacing it with the remark that he had confined his inquiries to the results of emancipation in our own colonies. He sketched the difficulties with which our West Indian colonies had had to struggle, and quoted reliable authorities to show that emancipation had achieved its main object, and that the colonists were steadily progressing in industry, morality, and education. Though denying that the results of emancipation were to be judged of by any commercial standard, still it must not be supposed that even on the low ground of commercial

expediency it could not be justified, for a number of the colonies now exported considerably more sugar than they did previous to the emancipation. He showed that West Indian property was heavily burdened, and that West Indian planters were on the road to ruin before emancipation took place, and that the colonies were gradually recovering from the effects of slavery rather than suffering from the results of emancipation. He quoted a letter from Mr. Hincks, the Governor of Barbadoes, who thus writes :—

'In this island, there can be no doubt whatever that emancipation has been a great boon to all classes. Real estate has increased in price, and is a more certain and advantageous investment than in the time of slavery ; the estates are much better and more economically cultivated, and the proprietors are, I am inclined to think, perfectly contented. In other colonies, the proprietors have suffered from a variety of causes. It would be unjust to blame them for not having adopted a wiser policy towards the labouring classes. They, as a general rule, meant to act liberally, and I have no doubt, believe that they have been treated with ingratitude. I am nevertheless convinced that the labouring classes have been blamed without cause. The tenure of land (a tenancy at will) on the estates has driven the labourers from them ; they have purchased or leased land elsewhere, it being cheap and abundant, and there has not been an adequate inducement in the form of wages offered to them by the estates. The majority of the proprietors were overwhelmed with debt at the period of emancipation, the value of property had been much too high, and these causes, combined with the reduction of the price of sugar, has produced much individual distress. It has been a most serious evil, too, that so many West Indian proprietors have been non-residents. The evil, however, will cure itself in time. Property has been changing hands of late, and eventually I have no doubt that the proprietors generally will live on their own estates and save the heavy expense of management.

'The fairest test perhaps of the comparative cost of slave and free labour is to compare the wages paid to the free labourer with the rate demanded by those who let out slaves to hire. The owners of slaves in Cuba are in the habit of hiring them in gangs, and I understand that the rate some years ago, when sugar was much lower in price, was 17 dollars a month, which, allowing 26 working days, would be 65 cents a day, a rate far exceeding the price of labour in any of the British colonies. * * * I have been told that the average cost in Cuba of maintaining a slave is 30 dollars per annum, and if so, there can be no doubt that this, added to the interest on the value of the slave, would bring up the cost of labour to a much higher price than that given for free labour in any of the British colonies. I need scarcely remind you that the cost per head of slaves must be calculated on the entire population of men, women, and children, a considerable percentage of which will furnish no labour in return.'

On the conclusion of the paper, Lord Brougham said the question was

not entirely settled at the present day, for what the paper had alluded to as a call for emigration, raised, naturally enough, the question of immigration, as it had been called, by which it was thought—not in our own colonies, but in some foreign colonies—to supply the want of labour by emigration from the coast of Africa; but it turned out that the emigration consisted of men who were kidnapped and taken on board ship in manacles, or who were put in manacles before they had been twenty-four hours on board the vessel. That was called free emigration. He had every reason to hope that the good sense of the French Government, as well as other governments of the present day, would put an end to that speculation in men, for he could call it nothing else, which had been lately attempted, but which he trusted had very generally failed. He contended that the planter with free labour was a great sufferer by the admission of the Spanish slave-grown sugar upon the same terms as regarded duty as our own free-grown sugar. It was not the natural increase of Cuba, but the constant importation of slaves from the African coast, which caused the free grower to be undersold in the market. His lordship concluded by saying, 'It is most pleasing to me to speak on this subject in this town of Liverpool, when I recollect that forty-six years ago, during the great contest in 1812, one of the most powerful appeals that were made by a certain part of the people against me upon that occasion was the placarding of the words that I had used in the House of Commons the session before, declaring slave trading to be not a traffic, but a felony. That was held at the time to be a most judicious and useful squib, as it were, against a candidate, that he had dared to lift his voice in the House of Commons as against that part, at least, of the trade of the borough of Liverpool. I do not believe there is to be found in all the town of Liverpool one single individual at the present day who would promote such an attack upon me.'

An animated discussion took place upon the paper on 'Indirect Taxation,' contributed by the Financial Reform Association of Liverpool, and read by its Secretary, Mr. C. E. Macqueen.

The President began by stating his entire dissent from the views maintained in the paper.

Mr. Charles Holland thought that all must agree in the first proposition,—that productive labour was the source of all wealth, and that restrictions upon labour must therefore be injurious to the whole community. He also thought it very clear that the protection which Government gave to property and life was given in a very much higher degree to those who were possessed of property, than to those who were merely secured in their personal freedom, and the fruits of their daily labour. That there was a very wide difference between these two classes was obvious from the fact that, whilst the owners of property were willing to pay large sums for its insurance, the working man, if asked what he would pay for the insurance of his labour and life, would say that they were hardly worth insuring. Obviously, then, as stated in the second proposition, taxation ought to be proportionate to the benefit derived from Government protection. But what

did they find? They found that the very reverse of this principle was the rule; that the industrial classes paid about two-thirds, property only about one-third of the sixty odd millions of annual taxation. The sixty odd millions must be raised; that he granted—but he contended that it should be taken from the sources where it would do least injury to society at large; and he protested against the system of taking two-thirds of the annual taxation from the industrial community as not only a positive injustice, but also as a positive waste of capital. It impeded labour, and was doubly unjust to the industrial classes, because it not only affected them in an inverse proportion to the benefit they derived from State protection, but likewise restricted the employment of capital and labour. He believed that the owners of property, now most opposed to direct taxation, would find, no less to their surprise than to their satisfaction, that they would be the greatest gainers by it. In the case of the repeal of the corn laws, so far from finding that that great act of justice to the community injured them, they had discovered that it was highly beneficial to them; and if the principle of that measure were carried still farther, the great increase in the value of land, and in the demand for its produce, would far more than compensate them for any slight and temporary loss which they might sustain from the adoption of a system of direct taxation. He was quite willing to carry taxation on property and income as far down as it was carried by the present income-tax, leaving labourers at twenty or thirty shillings a-week untaxed. A penny in the pound produced about a million; sixteen pence in the pound produced sixteen millions, and it was raised with the greatest facility.

Mr. Duncan McLaren, of Edinburgh, said, there might appear to be some little exaggeration in the statements of the paper as to the effects of customs' duties in enhancing prices; but it was quite capable of arithmetical demonstration that, in the article of tea, for instance, the public paid a great deal more than went to the Chancellor of the Exchequer; and that if the duty were repealed, a very large saving beyond it might be effected. Take the common coarser kinds of tea, worth about 1*s.* per lb., and assume the duty to be 2*s.*, that made the price 3*s.*; and adding the profits of importers, dealers, and retailers, on the duty as well as on the article, which might be calculated at 33⅓ per cent., the public paid 4*s.* for a pound of tea worth only 1*s.* If the duty were repealed, the Chancellor of the Exchequer would lose 2*s.*; but the public would gain a great deal more, viz., 2*s.*, and the third of 2*s.* or 2*s.* 8*d.* He quite agreed with Mr. Holland, and the writer of the paper, that the advantages of substituting direct for indirect taxation would be very great. The benefit of such a change would be enormous. But if direct taxation were adopted, he should decidedly object to taking rental as the basis of it. He would take the actual worth of realized property. The greatest possible injustice was done at present by taking the rental. For example, one person might derive an income of 1000*l.* from house property, worth, perhaps, only ten years' purchase; another, the same income from land, worth

thirty years' purchase, or 30,000*l.*; yet both were now required to pay exactly the same tax to the Chancellor of the Exchequer. If an attempt were made to raise the whole revenue by a tax on realized property, the actual worth of it should be taken, not the income. If a hundredth part of the value were taken it would be very little felt; and the adoption of such a system would be just as beneficial to land as the repeal of the corn laws had proved to be.

Mr. Charles Robertson suggested that the best plan would be to refer the question to a committee appointed by the department, to take the whole matter into consideration, referring more especially to the effects of the present system on the social and moral condition of the people, and to report to a subsequent meeting of the Association. He concluded by moving the following resolution :—

'That it be a recommendation to the Council of the National Association for the Promotion of Social Science to appoint a sub-committee to consider the whole question of direct and indirect taxation, in its bearings on the moral and social condition of the people, and to report to the next meeting of the Association.'

Mr. McLaren seconded the motion.

The President said that, before putting the resolution, which he would have seconded himself, had not his position in the chair prevented him, he wished to make a few remarks. Suppose that taxation were levied on land and realized property alone,—how were they to find out what was the capital of the merchant, the banker, and so on? Government had made an attempt to ascertain it under the income-tax, and what was the result? If he were to answer as he felt, he should offend classes for whom he had a great respect; but had they been even commonly honest? The commercial men of this country had, in effect, said to the Government, 'We will not give the information you require; rather than do so, we will record direct falsehoods under our own hands.' Well, when they had placed a tax on realized property only, would this class be perfectly honest? They could get at the value of land and tax it; but the amount of capital held by merchants and others no mortal man could get at. He denied that labour was the sole source of wealth. Wealth was derived from the arrangements of Providence; land was wealth—a river was wealth. He admitted that labour was required to make either available. Suppose that he had inherited what the Americans called a great water privilege, and employed labour to construct mills and machinery upon it, would the labourer have any right to call out to him, 'Holloa! that is my inheritance!' The error of the writer was in the separation of the combined sources of wealth—property and labour. Again, it was said that taxation ought to be regulated according to the benefit derived by each individual from Government protection, so that a very rich man having 100,000*l.*, should pay much more than the man who had nothing but his labour. That, again, was a complete fallacy. Government was not made for the protection of property; it was made to do for the people whatever it could do better than they could do it for themselves. Property and labour were so wedded together

that they could not tax one without taxing the other. Then, again, it was said that if taxes were taken off, the people would get their tea and other articles so much the cheaper; but if taxes were taken off, wages would fall. When taxes were reduced, a very large proportion of the reduction did not accrue to the consumer, but the Chancellor of the Exchequer lost it all. Human society was the most complicated piece of machinery that existed on the face of the earth; and those who set themselves to rearrange it without considering how the different orders of men were connected with each other acted rashly and unwisely.

The resolution was then put from the chair, and declared to be carried unanimously.

Mr. W. L. McPhinn read a paper 'On how far the Speculative Mania which periodically manifests itself in our Commercial Cycle is subject to Modification through Legislative Interference.' Mr. McPhinn pointed out that any interruption to confidence in the money-market compelled the banks either to endanger their own safety, or by contracting their loans to endanger the safety of those whom, by their past liberality, they had tempted to unduly extend their operations; and that the real cause of depression in rate of discount was to be found in the competition among bankers for employment for their deposits, while the real cause of increase in the amount of deposits was increase in the amount of loans. He proposed that as gold, or notes issued against gold, increased in the circulation, a corresponding diminution should take place in the amount of notes issued against securities; the effect of which would be (the issue of notes unrepresented by gold or government securities being altogether discontinued) that the amount of notes issued against securities would diminish as those issued against gold increased, and would increase as the latter diminished. To carry out this arrangement, he further proposed that the paper money of the country should be made to consist exclusively of the notes of a national bank, to be issued (1) in exchange for sovereigns at par, or for gold at the price of 3*l.* 17*s.* 9*d.* per oz.; and (2) on loan to all parties possessing 10,000*l.* or more in consols to an amount not exceeding $\frac{9}{10}$ths of the value, at the market price of the day, of the stock upon which the advance was made; interest being charged on all notes advanced on loan at a rate corresponding with that yielded by consols at the market price, interest at the same rate being allowed on all notes deposited.

Five papers on the subject of pauperism with especial reference to workhouse management, were then read.

Dr. Gee, in some 'Statistics, Facts, and Figures relative to the Liverpool Workhouse,' showed that, during the last twelve years, the admissions into the workhouse had more than doubled. The number in 1846 being 6258, while in 1858 it was 12,756. The proportion of able-bodied men had decreased; in 1845, 1547, and in 1857, 568 of that class had been admitted; but of able-bodied women the numbers had increased from 871 admissions in 1845, to 2307 in 1857. These

results seemed to indicate that there had been no permanent lack of remunerative employment for able-bodied men; but that there had been so for women. Among other interesting facts which he brought forward, he showed from the number of re-admissions, and from the number of those admitted whose parents had received parochial relief, that there exists a large class of permanent candidates for the workhouse, who look upon it as their home, and that those who have once come under its roof become less provident because they have such a resource to fall back upon in time of need.

The Rev. Dr. Begg pointed out some defects in the Scottish Poor Law, the exemptions in imposing the assessment of ministers of the Church of Scotland, and of fishings, and deer forests, held by their owners, and the exclusion from its administration of tenants paying enormous rents, and assessed on them; while a proprietor with a rental of 20*l.* sat on the board as a matter of right, as did also the non-paying parish minister. But above all, he lamented that scarcely any remedial measures had lately been introduced into Scotland for the purpose of drying up the stream of pauperism. Scotland required an Incumbered Estates Court as much as ever Ireland did. Tens of thousands of her acres were lying waste, many of her people were starving, or being driven into foreign lands, and her pauperism was increasing, because a vast amount of her property was held by non-resident and bankrupt landlords.

The second section, on Thursday, met specially under the presidency of Lord John Russell, to consider the subject of prostitution, and the questions connected with it. Sufficient publicity has been obtained for any suggestions brought out in the discussion, and it has not been thought necessary to insert in this volume either the papers read, or the remarks made in connexion with this painful subject.

The section afterwards proceeded to the consideration of a few miscellaneous papers. Mr. Danson, in a paper 'On Domestic Service as a Means of Female Education,' entered into statistics to show, 1. That nearly one-third of the young females of each generation pass through domestic service before the character is matured, or the habits formed, and are thus placed for some years under the control of heads of families higher in station, and probably in intelligence, than themselves. 2. That a large proportion of these young women are removed from that position by marriage, and, as a rule, become the wives of the present, and the mothers of the future generation of working men. He contended that the employers of domestic servants owed them more than wages—owed them moral guidance—seeing that, whether they would or not, they were daily under the influence of their example. Whatever good was done in this way must be twofold, for the practical virtues displayed by those in command, besides bringing their own reward in other forms, inevitably strengthened the authority exercised. That good was certain to bear immediate fruit in the homes of our working men. He suggested that the young ladies of England, the best of whom had long been tired of the lighter and more frivolous occupations to which

they had been confined, should take up this branch of social reform, and learn themselves, and teach their female servants, the art of making a home, as the first step towards making a nation, happy. Mr. Henry Roberts read a 'Notice of the Hospice des Menages,' an establishment in Paris for the aged in humble, but not destitute circumstances. The institution has been in operation for upwards of fifty years. It is self-supporting in principle, securing the advantages of a comfortable dwelling, food, and fire, and a small sum of pocket-money, with medical attendance in sickness, by the payment, on entrance, of a fixed sum. The age of admission is sixty years, and upwards. The buildings belong to the municipality. There are large rooms for married couples, and smaller ones for widowers and widows; the first pay jointly, on entering, 128*l.*, the second class, 64*l.*, or 40*l.* for somewhat inferior accommodation.

Mr. Charles Melly read a paper 'On Drinking Fountains,' which was published separately, and widely distributed at the meeting. He gave an account of the fountains recently erected in Liverpool, and showed how fully they had been appreciated, and what a want they had supplied.

On Friday also the department sat in two sections. In the first, Sir James Stephen presiding, the proceedings commenced with the reading of a paper 'On the Legislative Restrictions affecting the Manufacture of, and Trade in, Paper,' by Dr. John Watts, in which he stated that under the pressure of the paper duty, whilst the production of paper on the Continent of Europe was every year largely increasing, that of Great Britain showed no such increase, while the number of manufacturers had decreased from 30 to 40 per cent. in the last twenty years. The manufacturer of paper must not use the water or steam-power he employs for any other purpose. If he be a printer of paper-hangings, or of books, or newspapers, he must see that his two occupations are separated by at least a mile, and must keep horses, carts, and porters, and pay tolls in consequence; he must also dry, fold, wrap, label, and cord his goods at one place, before conveying them to the other, where the process of manufacture requires all this to be undone again. Then the goods must not be removed from the paper mill to the manufactory until the Exciseman has had twelve hours' notice to come and weigh the paper, which must be done ream by ream, or parcel by parcel, in old-fashioned scales, and (except by favour of the exciseman, not quicker than sixty reams per hour), every ream must be separately named and marked with weight and progressive number, and entered in a book kept for the convenience of the Government. The tax must be paid every six weeks. These processes ruin the small manufacturer, and increase the cost of production as much as the duty, which, in proportion to the cost of the raw material, is enormous—on linen rags about 100 per cent., on cotton nearly 200, and on straw, from which a large quantity of paper is now made, 600 per cent. Dr. Watts pointed out, from the various exemptions which the

Government had been forced to make, the untenableness of their position, these exemptions having been made on the ground that the existing regulations operated injuriously to trade, while those that remained were operating still more injuriously. He also pointed out its effects on cheap literature. In the discussion which ensued, Mr. Henry Bohn contended that the removal of duty would be a great loss to the Government, no benefit to the trade, and none whatever to the reading community, because it would lead to competition, which would increase rather than diminish the value of good paper, and would not lessen the price of paper or publications. The great obstacle to the lessening of the price of paper was the limitation of fabric—linen rags, with cotton mixed; straw paper could not be used for good books, but it might do for newspapers, which were wanted for only a day. If the duty were taken off, he would lose 500*l.* a year, and have paper dearer instead of cheaper.

Mr. A. Leighton replied to Mr. Bohn, and mentioned that Messrs. Chambers had declared that the paper duty had compelled them to stop the publication of their *Miscellany*.

Mr. Templar said that the money at present paid by newspaper proprietors in the shape of duty might be appropriated in improving the contents of the papers themselves.

Mr. Cassell opposed the continuance of the duty. The addition of five per cent. to it some years back stopped one hundred mills, and the increase had to be paid out of profits, for it could not be added to the price of paper; and it made to him a difference of 400*l.* per annum. He had been engaged in the education of the working classes; and the *Educator*, devoted to lessons, circulated 200,000 in weekly numbers and monthly parts, the taxation upon which was 7000*l.* or 8000*l.* a year; and if he had that money to apply to educational purposes, he could, indeed, command the best productions of the best minds for the instruction and elevation of the people. There being no tax in America, the Americans came over here, and could afford to buy up material; and they could go to the continental markets and outbid the English manufacturers, as the Americans consumed three times as much as we did. Remove these imposts, and the consumption would in a short time double.

Mr. Cowan, as a manufacturer, hoped the day of their emancipation was not far distant, although it was the feeling of the manufacturers that the duty should continue, and they were about to have a meeting to strengthen the hands of the Chancellor of the Exchequer. But Lord Althorpe said it was one of the strongest arguments for the removal of the duty upon printed calicoes that the manufacturers themselves opposed it. By the continuance of the duty the price of common copy-books was enhanced 25 per cent. He produced two continental periodicals, which showed that the manufacture of paper had made more rapid strides on the continent than it had done here; and he had no doubt it was in consequence of the union and energy which the manufacturers in France and Germany had been forced to

put forth. They had unrestricted competition, which was not only for the supply of other countries, but also for that of our colonies. We were cut out of our colonial markets in consequence of the enormous charges inflicted by excise regulations. The clerking, printing, and numbering, dating, &c., were an enormous tax, and had the effect of excluding our manufacturers entirely from the markets of South America and of our colonies.

Mr. T. B. Smithies said he published the *British Workman*. Last year he was 2000*l.* or 3000*l.* out of pocket; had it not been for the paper duty he should at all events have been clear, if not a little in pocket; but if he had had the amount paid for paper duty, he might have done a great deal more good, and reached thousands more of the working classes. He sent out specimen copies to all districts where the paper had not yet reached, and in 1857 spent 200*l.* or 300*l.* in postage. Everything that stood in the way of the extension of this work ought, if possible, to be removed. We might learn an important lesson from one of our colonies. In Canada, the whole amount he named as spent in postage might have been saved, for there periodicals bearing on education, on agriculture, and on temperance, were circulated free of postage. The removal of the duty would do much to improve the tastes of the people. He found that the poor could appeciate a picture, and he should be glad to spend, instead of 20*l.* or 25*l.*, upon the first page of the *Workman*, 40*l.* or 50*l.* if necessary. He had great faith in good pictures; and what was worth doing was worth doing well. He could speak from experience that the working classes, agricultural labourers, and rough men, whom we thought had no taste, were now cutting out the illustrations and pasting them on their walls, and they were thereby becoming educated. Although papers might not be bought for much less than at present, the removal of the paper duty would do much to promote education. The paper for journals was dried at the manufactory, and afterwards damped at the printing-office; but if the duty were removed, it might be taken from one place to the other in its damp state.

Mr. Henry Brown, Mayor of Bradford, moved, and the Rev. G. Curnock seconded, 'That the legislative restriction affecting the manufacture of, and the trade in, paper, are injurious to the progress of education, and ought to be abolished.'

Mr. Bohn said he was as much the advocate of the working man as any one; but he took a different view of the subject.

The resolution was carried with one dissenting voice.

Mr. John Frearson read a paper on 'the Relation between Employers and Employed,' in which he showed that as their dependence was mutual, so their interests were identical. He advocated the principle of co-operation, and suggested that a firm should allow the whole of its servants to take shares in its capital to the extent of their savings, on the principle of limited liability, supplying at the same time, and at a fair price, their individual and social necessities, —such as food, clothing, houses, and education.

The Rev. J. Erskine Clarke read a paper on 'Penny Banks,' in

which he showed that these institutions were a necessary supplement to savings banks, reaching a lower and wider class of the community. The same subject is enlarged upon in a paper by Mr. Akroyd, printed at page 648.

Mr. E. T. Wakefield contributed a paper 'On Savings Banks.' He dwelt on the extensive defalcations which had taken place, especially from 1846 to 1851, on the diminution of public confidence caused thereby, and on what he considered the defective administration of these institutions. The remedy he proposed was a system of Government inspection sufficiently stringent to justify the State in guaranteeing the repayment of all funds invested in savings banks.

Dr. Ogle, on Provident Dispensaries, stated that the facts on which his observations were founded had been obtained from the reports of twelve institutions, established in different parts of the country. He entered into the details of the working of the Coventry Provident Dispensary, as one of the most successful and best regulated in the kingdom.

The Rev. Charles Hartshorne read a paper on the same subject, giving the details of a provident dispensary established in the town of Northampton in 1846, the judicious management of which has conferred great benefits on a class most deserving of encouragement, —the provident poor. In 1849, in consequence of the appearance of cholera, the institution was opened to all applications by artisans, labourers, and working persons with their wives and children, suffering from attacks of the disease or its more mitigated forms; and the payment of five shillings, previously enforced from all parties seeking admission into the dispensary while suffering from illness, was not demanded. Independently of 305 cases attended of persons not members of the Royal Victoria Dispensary, more than 900 visits were officially paid by the medical staff; whilst in three months 800 new members were admitted. The whole number of cases treated during the twelve months amounted to 8085, besides 133 midwifery cases. Mr. Hartshorne said that the claims of these institutions could not be too strongly urged; by their means the best medical aid could be obtained by the poor without any considerable outlay. The system of contributions by free members encouraged in them habits of provident forethought, and raised a feeling of independence, whilst at the same time they felt they had the assistance and support of their more fortunate brethren.

The Rev. A. Wallace read a paper 'On the Social Causes of Insanity,' in which he dwelt on the artificial style of living which prevailed at the present day as one of the most prolific sources of mental disorder. Luxury and the display of wealth led to ruinous expenditure, and overtrading and speculation were resorted to in consequence. Each recurring commercial crisis sent a number of the victims of this folly to the lunatic asylum. In the haste to be rich, men overtaxed their mental and bodily energies, and madness was a frequent result. Drunkenness was another fruitful cause of insanity,

and to this one-fourth of the lunatics in the kingdom owed their loss of reason. The depressing influences of poverty and privation also showed their results in the great number of pauper lunatics to be found in the country.

Mr. Joseph Jones in a paper 'On the Use of Climbing Boys in Sweeping Chimneys,' drew attention to the contravention of the Act of Parliament which prohibits the employment of children in ascending or descending flues. Shortly after the passing of the Act, the practice in London entirely disappeared; but in many of the midland and northern counties it is still rife. Young children are still in request for the purpose, bargained for between parents and master sweeps, bought and sold, considered the more valuable the more tender their age. Mr. Jones, who is secretary to a society for the suppression of this lawless and iniquitous practice, stated that there were about 4000 children in England and Wales needlessly, and in defiance of the law, subjected to the dismal drudgery of climbing chimneys.

The section specially set apart for the consideration of the subject of decimal coinage, weights and measures, was presided over by Lord Brougham. The subject attracted a large and attentive audience; and though it has been found impossible to print any of the papers read before it in full, it is hoped that a selection from them may be published by the International Association.

The following is a record of the business of the section :—

I. Mr. William Brown, M.P. for South Lancashire, showed the great trouble, inconvenience, and loss of time produced by the established system of money, observing that if a decimal coinage were substituted for it, compound arithmetic would be superseded, and all calculations of accounts exceedingly simplified.

II. Mr. Samuel Brown, vice-president of the Institute of Actuaries, gave an account of the origin, plans, and objects of the International Association, a task for which he was singularly qualified from having been one of its original founders, and uniformly a member of its council.

III. The Rev. Alfred Barrett, M.A., of North Cheam, Surrey, explained the advantages of the Metrical System of measures, weights, and coins, in reference to education, and stated, as the result of his own observation, that the adoption of this system in the British Islands would be a saving of time in the instruction of boys amounting certainly to more than a year, perhaps almost to two years.

IV. Mr. Tefft, Art Commissioner from Rhode Island, United States, having noticed the obstacles to commerce, and the perplexities to travellers produced by a variety of monetary systems, proposed that a gold coin, equal to the new five-franc piece now current in France, should be the unit, and showed how, by slight modifications, the coinages of France, England, and the United States might meet upon this basis. He recommended that the coinage should be in strict

unison with the weights and measures of the metrical system, and that the copper coins should be identical in weight and value with those of France.*

V. The Rev. C. H. Bromby, Principal of Cheltenham College, recommended the franc and centime system of coinage, with a gold coin of 100 francs in value, and entered into calculations to show the advantages of the system.

VI. Mr. Theodore Rathbone read a paper 'On the facility with which an International and Uniform as well as Decimal System of Measures, may be introduced into this country and rendered Universal.' The substance of his 'Examination of the Report and Evidence of the Committee of the House of Commons, with reference to a simpler, sounder, and more comprehensive mode of proceeding,' 1853; second and third editions, with a preface and postscript, 1854; 'Comparative Statement of all the Plans proposed,' 1854; and 'Comments on the Preliminary Report of the Decimal Coinage Commission, and Statement of Plan for accomplishing the object with the least possible interference with what now exists, and in the most effectual and comprehensive manner, with the author's Evidence before the Commission, and Replies to the subsequent Questions of Lord Overstone,' 1857, demonstrated that a decimal system of moneys, weights, and measures might be most easily introduced into this country, without any one inconvenient or extensive change of any kind, and further rendered practically international, and commensurable with those of other countries.

1st. By adopting as the basis in all our Measures a familiar unit, universally intelligible by its name and well-established value, rendering clear and evident the value of all its multiples, &c., such for instance, as the pound weight, the penny, and the yard—and working all calculations decimally, that is, in fact, arithmetically, from these units; but without discarding any convenient larger established designations for the expression of large amounts; and, 2ndly. By making these measures exactly coincide, as they often do already very closely, with those of the principal foreign systems. For instance, to make our numeration of weights proceed arithmetically, as in the decimal system, instead of with our present almost intolerably inconvenient irregularities, we have but to state all weights in lbs., progressing arithmetically, and thus to substitute the 100 lbs. and its quarter 25 lb. for the present cwt. of 112 lb., and its quarter of 28 lb., and the decimal system is at once perfectly introduced.† And if this lb. is rendered an exact half kilogramme, an advance

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* Mr. Tefft's paper is published *in extenso* in the *Daily News* of November 17th, 1858; also in a separate pamphlet, and in a French translation.

† The corn trade have found the delay of this simple course of proceeding so intolerable, and productive of such endless want of uniformity, that, without the aid of the Legislature, they have in several leading markets agreed upon its adoption, and to employ exclusively in future the cental, or 100 lb. weight, decimally worked out—that is, of course, the decimal system, and the lb. unit.

only from 1.000 to 1.102, all our weights would not only at once become uniform and arithmetical in this country, but also international and interchangeable with those of the great metrical system rapidly extending over Europe and into America, whilst 2000 of these lbs. or 1000 kilos, would be almost exactly our present ton, still most usefully remaining our almost unchanged expression of large amounts of weight. The same principle exactly as pointed out and established in the above-mentioned pamphlets applies similarly to our moneys of account and circulation, taking the penny as the basis, or lowest money of account, and ascending and descending, and working all calculations, decimally, that is arithmetically, from this unit,—coinciding closely, and most easily, with the European metrical system, the franc or tenpence, the decime or penny, and the centime; and thus not at all disturbing the £ either as current coin and standard of value and legal tender, or, like the ton in weights, for the convenient expression and comparison of large amounts. Does it not deserve attention, Mr. Rathbone asks, that although this scheme, as appeared in his Evidence when under examination by Lord Overstone, as its author, seemed at first a little startling to the Decimal Coinage Commission, and was then rather closely and severely scrutinized, yet that in Lord Overstone's subsequent admirable series of Questions, so widely and usefully circulated by that Commission, this exact course of proceeding in decimalizing the moneys of this country is suggested, if not sanctioned, and its comparative superiority in every point of view to any other is ably and skilfully indicated throughout.

'If the penny be taken as the lowest unit of a decimal system of accounts, and if all sums be written down in the number of pence of which they consist, will not this afford a decimal system of accounts which may be used in conjunction with, and without involving any disturbance of our existing system of coinage, or changing the character of the £ sterling, as the great unit of account, as the basis of our system of exchange with all the world, and as the great integer by which all our principal calculations and estimates of property and of obligations are made?' No. 46 of the series of Questions drawn up by Lord Overstone, and presented to the Houses of Parliament by command of her Majesty.

Such, Mr. Rathbone then shows, would be the beautiful simplicity and perfection of this system that, whether the quotation of prices was per lb., per 10 lbs., per 100 lbs., or per 1000 lbs., &c., the same identical figures would represent the price, changing only in successive steps the position of the decimal point.

As to the general standard of value, or legal tender of payment, Mr. Rathbone advocates the present gold standard of this country, both gold and silver having had a fair trial in the United States, and gold having been finally adopted there, as well as by Great Britain; and, to render this widely-extended commercial and social standard universal, only requiring that when there is no premium on the gold or silver coin of any country which has adopted the latter with the metrical system—as France, for instance—it be enacted that the

gold Napoleon be the legal tender of payment for 20 francs instead of this amount of silver coin, as at present; 20, 24, 25, and 50 francs, or tenpences, might thus become respectively the values in silver or copper coin of the Napoleon, the Pound Sterling, the Louis, or Leopold, and the American Eagle. With perfect interchangeability and exact commensurability, allowing the per-centage representing the exchange where any existed, Mr. Rathbone shows that each nation might still keep their accounts in the moneys and employ the coins they might each prefer, whether these moneys were dollars of 50*d.*, rubles of 40*d.*, florins of 20*d.*, or francs of 10*d.*, and whatever gold coin were the legal tender.

Mr. Rathbone lastly called attention to the demonstrations in the examples and figures in his publications, that by thus simply and easily decimalizing, that is, rendering arithmetical in their progression the moneys and weights alone of this country, one figure would do the work of at least three in all calculations and figure-work, every child would be enabled to calculate at a glance—as is everywhere the case with a decimal system—and without any of the great complexity and risk of error of the present; whilst a very large addition, indeed, would thus at once be made to the time that might be given to other important branches of education.

VII. Mr. James Yates observed that, notwithstanding the proposal of various systems of decimal coinage for the British dominions, the appointment of a Committee of the House of Commons, the presentation of numerous petitions to Parliament, and the production of pamphlets, essays, and speeches without end, no one has hitherto attempted to bring into one view the points which require consideration, in order that a good system may be attained. To supply this defect, and thus to lay a secure foundation for future action, was the design of his paper.

1. First he examined the question of alloy. He recommended one-tenth as the best proportion for gold and silver coin, because this proportion makes the coin harder and more durable, is better suited for reckoning the intrinsic value of money in a decimal system, and is conformable to the general practice of foreign nations.

2. Secondly, in treating of seignorage, he maintained that coinage ought to be regarded as a manufacture. The public, for whose convenience it is carried on, ought to pay both for the raw material and for the cost of minting. Indeed, it ought to pay a little more, so that the Government may be secure from loss. Care should, however, be taken not only to prevent the loss to the Government—which would ensue if its coins were too heavy—but also the temptation to forgery, which would arise if they were too light. If this principle were adopted there need be no alarm about exporting or melting the coin of the realm. Supposing the mint to be judiciously conducted on the plan of a manufacture, the Government must derive a profit from every coin which it issues; consequently, the more it issues the better. The exportation of coin will not only create a necessity for a greater issue, and hereby augment the profits,

but will add something to the dignity of the Government, by diffusing its authorized money as coin to be used in other countries. If an international coinage be adopted in Great Britain, it will probably become a most important branch both of domestic industry and of foreign commerce.

3. He objected to those writers who suggest the Remedy as a method of assimilating the coinages of different countries.

4. Mr. Yates related the origin of the pound, or sovereign, in the year 1816, showing that it was adopted because it was supposed to be suited to the large payments made in England. He thought that regard ought to be had rather to the immense multitude of smaller payments, and that with this view a unit not higher than 10*d.* was far better suited to the necessities both of the British Islands and of all other countries. He also asserted that the present English unit is but ill adapted even for reckoning large amounts.

5. He showed that the fundamental question of the standard of value is intimately connected with that of the unit. He observed that many of the most eminent English writers, from Mr. Locke to Lord Brougham, have recommended the silver standard. By adopting this standard, which Lord Liverpool had unfortunately rejected, we should conform to the practice of the world at large, and should secure the essential quality of all standards, greater steadiness and fixity.

6. He thought two denominations in general sufficient, and far more convenient in ordinary practice than three or four, being also more especially adapted to mental calculations.

7. He further regarded any system as intolerable, and doomed to fail, which had more than two places of decimals, observing that the Americans, the Swedes, and the Dutch, in consequence of having adopted too high a unit, have recourse to vulgar fractions, $\frac{1}{2}$ and $\frac{1}{4}$, after their two decimal places.

8. In considering the question,—what ought to be the lowest coin? he brought forward various facts and arguments to prove the expediency of having a coin equal to about the tenth part of a penny. From the fact that Belgium, with an industrious and orderly population of $6\frac{1}{2}$ millions, and with 43 millions of single centimes, is in want of a still larger supply, he inferred that a well-governed country ought to be furnished with such coins in the proportion of six for every individual.

9. On the other hand, a gold coin, value 4*l.*, might with advantage be the highest in the scale, being exactly equi-distant from the unit with the lowest. It would very seldom appear in circulation, being chiefly useful for deposits in banks, and transmission to distant places. It would agree with the old European pound, which was a pound weight of silver. It might also be eligible for a higher denomination than the franc, or ten-penny, since it is found by experience that in spite of the prescription of the pound sterling by law, persons go on reckoning in shillings, till they reach about eighty shillings, and then they begin to reckon in a higher denomination.

10. He maintained that the coins of every country ought to have a simple relation to its weights. He showed the application of this principle in facilitating calculations and monetary transactions of all kinds, and in preventing forgery and fraud.

11. He next proceeded to consider the difficulty which arises occasionally, and is now felt to an alarming degree, from the excess of gold. Its effect is in France to cause an immense exportation of silver coinage, because the gold coins of that country are now of less value than formerly. The proper legal remedy would be to call in the gold coins and to reissue them of greater weight. But this would occasion loss and embarrassment to the government. The celebrated Michel Chevalier recommends the plan, originally brought forward by M. Bérenger, but rejected by the majority of his co-commissioners, who invented the franc and centime system, viz., that the gold pieces should weigh, as the silver and copper pieces do, 1, 2, 5, or some other decimal number of grammes. They would then circulate all over the world, varying in value according to the market price of gold.

12. He referred to the point of historical associations, merely because it has been insisted on by the advocates of the pound and mil scheme. He claimed nothing on this ground for the franc and centime, but showed that the case of the pound is quite as bad, the time of its introduction being the most disgraceful and disastrous in recent British history.

13. In reference to the international principle, he inquired, 'It being admitted that the inconvenience would be intolerable if different coinages were used on the opposite shores of the Mersey, or even on the opposite coasts of the Irish Sea, why should we not aim at uniformity on both sides of the British Channel, and even of the Atlantic Ocean?'

14. Lastly, he considered an international bank as an appropriate appendage to an international coinage. He advanced this view not only in his own name, but on behalf of Mr. H. N. Sealy, who has fully explained it in his able treatise just published 'On Coins, Currency, and Banking.' A bank of this kind existed for nearly two hundred years at Amsterdam, and enjoyed unlimited confidence. Supposing such a bank to be established in any great centre of commerce, individuals in all parts of the world might deposit their gold and silver in it, and by keeping a debtor and creditor account, might receive and pay money without risk, without carriage, without insurance, and without exchange.

'I have thus endeavoured,' said Mr. Yates, in conclusion, 'to bring under review all the requisites to a good system of decimal coinage. By these tests, as it appears to me, must every system be tried, which is offered for adoption in this or any other country. I do not wish now to bring particular systems to the trial. Let those who are abler and better judges than myself examine these general principles, and say whether they are correct or erroneous; and, when a proper code of requirements has been fixed, let the pound and mil, the franc

and centime system, and every other proposal, be brought to it for approbation or rejection.'

The reading of these papers, with the discussion upon them, occupied more than five hours. The international principle was opposed as chimerical and impracticable by Mr. W. Brown, Lieut.-General Sir Charles Pasley, and Mr. R. R. Moore. It was ably and strenuously defended by Mr. Theodore Rathbone and Professor Hennessy.

Remarks were made on the great value of the Preliminary Report presented by the Decimal Coinage Commission, of which Lord Monteagle is chairman; and especially on the importance of the information obtained from France, Belgium, Switzerland, the Kingdom of Sardinia, and other foreign countries.

Mr. Tite, M.P. for Bath, stated, as the result of his experience in various works which he had executed on the Continent, that the practical advantages of the Metrical System are great almost beyond conception.

Mr. M'Cann, M.P. for Drogheda, announced his intention of bringing in a bill in the next session of Parliament for the abolition of dry measure.

Mr. Philip Rathbone, local secretary, stated that he was in the habit of changing English accounts into the monetary scale of nations using the decimal system, and that this process, by enabling him to use logarithms, not only effected a saving of three-fourths of the time in computation, but afforded the best security against mistakes.

Notwithstanding the opposition of sentiment between the advocates of the pound and mil scheme, and those who recommend an international system, comprising measures, weights, and coins, the section was unanimous in one respect, in a feeling of gratitude towards the National Association for the Promotion of Social Science, for the opportunity so liberally afforded of discussing the question.

THE END.

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